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VOLUME 29

THE WHIG PARTY IN GEORGIA, 1825-1853

By

PAUL MURRAY

CHAPEL HILL

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*

Editors

ALBERT RAY NEWSOME
WILLIAM WHATLEY PIERSON
MITCHELL B. GARRETT
FLETCHER M. GREEN
KEENER C. FRAZER

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P R E F A C E

This work was originally undertaken as a result of suggestions by Professor Fletcher M. Green, of the University of North Carolina, concerning available materials and suitable topics for a doctoral dissertation in Southern history. Whatever unique trait or individuality of character it possesses may be credited to my own lifetime interest in Georgia politics. I have no apology if other students with similar interests find in this presentation of nineteenth century politics many parallels with the struggles of more recent date which have had a dramatic quality sufficient to familiarize magazine readers of the nation with the names of Ed Rivers, Eugene Talmadge, and Ellis Arnall. It is, in truth, high time for historians to begin viewing the Civil War as a bridge connecting two related eras rather than continuing to regard it as a wall separating a half-mythical Old South from the living present.

The location of manuscript, newspaper, and periodical sources is indicated in the bibliography. But I wish here to express my personal appreciation for many courtesies extended by those whose official position or interest in Southern history enabled them to render sympathetic aid. The initial impetus for wading through acres of newspaper print came from contact with Professor J. G. deRoulhac Hamilton's enthusiasm for ferreting out historical raw materials. Members of the staffs of the Libraries of University of North Carolina, Duke University, University of Georgia, Wesleyan College, Georgia Southwestern College, and Washington Memorial Library were helpful and understanding. Colonel J. E. D. Shipp, of the Southern Book Company, not only gave the benefit of his ripe experience as a student of Georgia history and a participant in state politics, but also granted complete access to his fine collection of rare books and printed sources. Professor Holland L. Boyd, formerly of Georgia Southwestern College, read much of the manuscript in the early stages of composition and eliminated many errors of form and crudities of expression.

The members of my dissertation committee, Professors Green, Albert R. Newsome, and Hugh T. Lefler, made constructive criticisms concerning both the arrangement of materials and the validity of my interpretations. I am indebted to Professor Green in a peculiarly direct and personal fashion. Without his sympathetic direction at every stage of the work and his friendly injunction that "having put your hand to the plow, you must not turn back," the work must certainly have fallen a victim to the double competition of a full teaching load and a large flower and vegetable garden. Professor William C. Binkley, editor of *The Journal of Southern History*, has given some helpful suggestions concerning the con-

clusions on intrastate sectionalism and consented to the inclusion of my article, "Economic Sectionalism in Georgia Politics, 1825-1855," substantially as it appeared in the *Journal* of August, 1944.

PAUL MURRAY.

East Carolina Teachers College,
Greenville, North Carolina.

CONTENTS

CHAPTER	PAGE
Preface.....	v
I. By Way of Definition.....	1
II. Laying the Structural Base: The Troup Party, 1825-1831.....	4
III. From Men to Measures: Reorganization of the Troup Party, 1828-1833.....	27
IV. In the Minority Position: The State Rights Party, 1834-1839...	59
v. Alliance with the National Whig Party, 1839-1844.....	89
VI. Shift from State to National Issues, 1842-1848.....	112
VII. Decline and Disintegration of the Whig Party, 1849-1853.....	140
VIII. A Summary Interpretation, 1825-1853.....	177
Bibliography.....	207
Index.....	215

THE
WHIG PARTY IN GEORGIA,
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CHAPTER I

BY WAY OF DEFINITION

President Andrew Jackson's fight on the United States Bank and his high-handed administration of the government during his second term furnished his political enemies an issue that had great appeal to the democratic masses. The panic years following 1836 gave vitality to the opposition and made possible the success of the anti-Jackson party. This party attracted to its ranks the majority of the conservative, property-minded business men of the country. It filled a vital place in the political life of the nation, a position formerly held by the Federalist party of George Washington and Alexander Hamilton, and in recent times by the Republican party of William McKinley, William Howard Taft, Andrew Mellon, and Herbert Hoover. Yet, in the final analysis, the national Whig party was a superstructure resting on a precarious system of compromises. It was a political "holding company" for the pooled interests of state and sectional parties whose origins antedate the national organization. The main purpose of this study is to trace the historical development of the party in Georgia which was identified with the national Whig party. A collateral purpose is to identify this party in its relation to the rise of democratic ideals and experiments during the generation preceding the Civil War. Without any deliberate purpose on the part of the writer the study also reflects something of the reaction of Georgia to the rising spirit of Southern sectionalism.

In this study the term political party is assumed to possess a three-fold meaning. In the first place, a party is composed of a certain distinct personnel made up of leaders and followers. This personnel varies slightly from year to year, but must retain its essential and recognizable element if it is to rise above the rank of temporary political association and be regarded in history as a true party. Secondly, a political party is bound together by a body of political doctrines to which its members are willing to subscribe. These doctrines relate to current problems of social and economic import but have little in common with political philosophy of the academic type. In the third place, history demands of a political party that it leave some record of formal and continuing organization. County committees, state conventions with their accompanying standing committees, campaign speeches, and personal appeals were the approved modes of organizing political sentiment in the nineteenth century.

By 1832 these three elements were present in the Whig party of Georgia, although the name Whig was not used until 1834 for the national party and 1843 in Georgia. Top-ranking personnel appeared first and remained the most stable of the three. From George Michael Troup in the twenties to Charles Jones Jenkins in the fifties, the active leadership of

the party shifted somewhat with the ebb and flow of the political tide. The changes, however, were more in the nature of rearrangement of the pieces on the political chess-board than in the replacement of directing genius. In the top rank of leadership, personalities followed a prevailing pattern with remarkable constancy.¹ All had formal schooling of the level of the academy, and most of them possessed college degrees, the College of New Jersey (Princeton), Yale, and Franklin College (University of Georgia) appearing most often in biographical sketches. In every case formal training was supplemented by individual study. Occasionally these individual studies were in classical literature; several prominent Whigs were physicians; and George Rockingham Gilmer spent some time in amateur investigations in geology and scientific agriculture. Most Whig leaders, however, were lawyers who had acquired their legal training in a period of study with an older member of the profession, or in one of the law schools of the East. The most popular of these was the Litchfield (Connecticut) school. Indicative of the economic character of the Whig party is the fact that every outstanding Whig leader had the means of providing himself with a comfortable income during days of economic distress and was usually under strong temptation to desert politics for private business in times of economic expansion. Some were born in affluent circumstances, others married wisely, while others by hard work at the law and at cotton-growing attained a safe competence by the time they had reached middle life. In short, the leaders of the Whig hierarchy were educated, cultured, and property-minded. In this respect, however, the Whig party was not different from most political parties in an era characterized by a relatively higher level of economic and intellectual leadership in politics than that of the twentieth century.

In the middle and lower ranks of Whigs the agrarian character was dominant. Local leaders were of an economic stratum not greatly different in character from men of state-wide importance in the party. As a rule, there were in their ranks more dirt farmers and fewer lawyer-farmers than among the leaders of first rank. In intellect and in economic standing these local Whig leaders differed only in slight degree from their Union-Democratic adversaries of similar rank. A notable commentary on the leadership of the two parties in Georgia is that many men served apprenticeships in Whig ranks and later became leaders in the Democracy, while no former Democrat was ever given a place of honor or leadership in the Whig party.

No common characterization can be applied to the mass of voters who consistently supported the party of the Whigs in Georgia. Personal followings, political cliques, grudge votes, economic patterns, sectional and county prejudices, and hope for success are only a few of the many factors that determined individual votes. Each election presents to the student a new arrangement of these factors, and each election must be studied in

¹ Ulrich Bonnell Phillips, *Georgia and State Rights*, pp. 87-88, 93-97, 105-108, 140, 168-170.

its relation to the whole history of the party. Whig doctrines and the Whig cause received a greater degree of newspaper support than did those of the Democratic party. Some students have maintained that this fact indicated a greater degree of literacy among Whig voters generally than among Democrats.²

Less stable than the personnel of the party were the party doctrines. In general, the Whigs of Georgia were conservatives in the real meaning of the word. They had no ready-made solution for the various problems that required the attention of their generation. They made very slight demands on members concerning their attitude toward public questions. What seems, at first glance, to be merely political opportunism was really suspension of mass judgment until the wisest and most judicious plan of action could be conceived. Instinctively Georgia Whigs held together on the fundamental proposition that political and social institutions were heavily in debt to the past and should not be changed radically until every shadow of doubt concerning their present utility had been dispelled. Coupled with this respect for the past was the strong desire on the part of Whigs to be regarded as the true heirs of the Jeffersonian ideal in Georgia. For the extreme democratic ideals of the Jackson era they had no respect and only the patience born of political necessity.

Even more transitory than the ideas and doctrines of Georgia Whigs was their party organization. Conservative in this as in other respects, Georgia Whigs suffered from a heavy carry-over of the preceding generation's suspicion of all factional or party organization that partook of the nature of a clique or junto. From this circumstance arose the ease and frequency with which party labels and symbols were changed. Throughout these changes the fundamental unit of political organization was the county committee. In most counties these groups were informal in character and performed the essential duties of holding public meetings and furnishing speakers during election campaigns. Notices of these meetings or "rallies" appeared in the party newspapers alongside the more significant and imposing notices of district and state conventions. Constant repetition of names in these notices is the best indication that, during the generation treated by this study, a continuing nucleus of lawyers, planters, physicians, business men, and editors made up the working corps of an organization known successively as the Troup party, the State Rights party, the State Rights-Whig party, and the Whig party in Georgia. These names represent rather faithfully the forced evolution of the party from "a company of gentlemen, politically inclined" into an integral part of the great national party representing the interests of business and property.³

² Richard Harrison Shryock, *Georgia and the Union in 1850*, pp. 117-118.

³ Ulrich Bonnell Phillips, "The Southern Whigs, 1834-1854," *Turner Essays in American History*, pp. 203-229, is a neat, concise interpretation with most of its conclusions based on events and personalities in Georgia. For a narrative of the development of party machinery during this period see Paul Murray, "Party Organization in Georgia Politics, 1825-1853," *Georgia Historical Quarterly*, XXIX (1945), 195-210.

CHAPTER II

LAYING THE STRUCTURAL BASE: THE TROUP PARTY, 1825-1831

Following the election of George Michael Troup as governor of Georgia by the legislature in 1824, the constitution of the state was changed to provide for the election of the governor by direct vote of the people. After the renewal of the William Harris Crawford-Elijah Clarke feud in 1818 under the lead of George M. Troup and John Clark, every biennial election of the governor by the legislature had been a bitter factional fight with a handful of votes holding the balance of power. With the changed and presumably more democratic method of electing the governor, the Troup partisans accepted the challenge of the Clarkites and determined to carry the gubernatorial election "to the people" with a vengeance.¹

The net result of the change to direct election of the governor of Georgia was the extension of the campaign from the legislative halls in Milledgeville to every crossroads store and rural hamlet in the state. Early in the summer of 1825 both Troup and Clark announced their candidacies for governor in the regular election to be held in October. This was before the day that a governor could with political impunity canvass the state in a campaign for re-election. But the many friends of Troup throughout the state had no dignity of office to maintain. Personal appeals, speeches, and editorial attack and defense were the principal means used by them to convince Georgia voters that the state's honor and dignity could be best maintained under the executive leadership of Troup.²

Though Governor Troup left the active work of the campaign of 1825 in the hands of his friends, he kept himself in the public eye by means of his fiery correspondence with the United States government concerning the removal of the Creek Indians. This was a cause dear to the hearts of Georgians, and Troup's adversaries lamented long and loud that he used the incident to strengthen his political cause at the risk of antagonizing the central government against Georgia's just claims.³

There is no doubt that Governor Troup made effective political capital of Georgia's "dangerous" position. When President John Quincy Adams forbade a survey of the lands, Troup wrote to Secretary of War James Barbour, "If the President believes that we will postpone the survey of the Indian country to gratify the agent and the hostile Indians he deceives

¹ U. B. Phillips, *Georgia and State Rights*, pp. 93-103.

² Edward Jenkins Harden, *The Life of George M. Troup*, pp. 334-336, 397-399.

³ *Macon Telegraph*, February 21, 1827; Ellis Merton Coulter, *A Short History of Georgia*, pp. 212-215.

himself."⁴ Troup next addressed a letter of like tenor to General Edmund Pendleton Gaines of the United States army in command of troops in the Creek territory. In these and other letters Troup made it clear that, as executive head of the government of Georgia, he was determined to carry out a survey of the Creek country in spite of the official protest of the United States government and the active opposition of "hostile Indians," "evil-minded white men," and the official representatives of the United States army and state department.⁵ Later in the summer Troup engaged General Gaines and the agent for Indian affairs in Georgia in exchanges of personal vituperation, skillfully forced them into publishing the whole correspondence, and stepped forth in the view of Georgia voters as a David defending Georgia against the Goliath of corruption in high places and intrigue amongst the Indians. As President Adams and Secretary of War Barbour made it clear that they would not retreat from their position, Troup ceased to press the question of an immediate survey and "stood by his arms" in the matter of challenging the armed power of the United States government.⁶ Excoriating appointed officials of that government was much less likely to precipitate a crisis and served the purpose of political pot-boiling equally as well.

The results of the election of 1825 were indicative of the course of the political history of the state for the ensuing generation. Troup gained a majority of 683 votes, a close decision but sufficient to vindicate the claim of Troupites that they represented the views and interests of the common people equally as well as did the Clark party. County majorities for Troup were concentrated in the thickly populated counties along the coast, the older river bottom counties, and the plantation counties north of Macon and east of Milledgeville. Although Troup gained majorities in twenty-four of the fifty-nine counties of the state, he carried not a single county in the frontier region west of the Ocmulgee River. In the same election a majority of Clark men was sent to the legislature under a scheme of representation whereby each county had one representative in the lower house and no county had more than four.⁷ In short, the Troup party escaped the charge of being an aristocratic group only to be revealed as a party representing the section of the state devoted mainly to cotton-growing under slave conditions.

In the legislature of 1825 both parties supported Troup on the Indian land question. Resolutions in both houses upholding the Treaty of Indian Springs, February, 1825, as the final settlement of the boundaries of

⁴ George M. Troup to the Secretary of War, June 3, 1825, Herman V. Ames, *State Documents on Federal Relations*, p. 114.

⁵ George M. Troup to General Gaines and the War Department, June 15, 1825, H. V. Ames, *op. cit.*, pp. 114-116; E. M. Coulter, *Short History*, p. 213.

⁶ U. B. Phillips, *Georgia and State Rights*, pp. 57-58.

⁷ Article I, Section 7, Constitution of 1798, Francis Newton Thorpe, *The Federal and State Constitutions, Colonial Charters, and Other Organic Laws*, II, 791-792; U. B. Phillips, *Georgia and State Rights*, pp. 104-106.

Georgia were passed without opposition, although President Adams, on the recommendation of General Edmund P. Gaines, declared that treaty invalid because of fraudulent methods of negotiation.⁸ Troup, more sure of his position than he had been in 1825, re-ordered a survey of the Creek lands and the establishment of counties in the Creek territory.⁹ The long-delayed survey was begun, September 2, 1826, in spite of the fact that the Treaty of Washington, January 24, 1826, promised the Creeks that their title would not expire until January 1, 1827.¹⁰ When the surveyors entered the territory ceded by the Treaty of Indian Springs but not included in the cession of January, 1826, the Indians protested, and Secretary of War Barbour again threatened to use military force to prevent the survey. Whereupon, Governor Troup made provision for armed defense of the territorial sovereignty of Georgia. Fortunately, there was no clash between the surveyors and the Indians, and no attempt was made by the United States marshals in the area to arrest the surveyors. In February, 1827, the tension was lessened when news "leaked out" that Secretary of War Barbour had ordered the Indian agent to begin negotiations with the Creeks for the cession of the area in dispute. Since possession of the land had already been established, Troup was able to retire from the contest with a public statement that the highly controversial question had been settled without violation of the sovereign power of Georgia within her territorial boundaries.¹¹

Georgia voters knew little and cared less about doctrines of state sovereignty. During 1826, however, they could readily appreciate Troup's fight for immediate possession of the Creek lands; and they showed their appreciation by returning a heavy Troup majority to the legislature in the fall election.¹² With the Creek land controversy settled on a satisfactory basis, the legislature was able to turn its attention to another question of great interest to Troup leaders. In a special message to the legislature, May 23, 1825, Governor Troup pointed out the close relation of internal improvements to the opening of new lands to the west. He held out an alluring prospect of prosperity as the natural and continuing birthright of a people richly endowed with natural resources. He proposed that the new lands be distributed on the basis of payment of a small fee for each grant. He recommended that these funds be re-invested as the legislature should direct. Three interests, however, should receive favored consideration. They were public education, internal improvements, and relief from taxation. Troup even envisioned a day in the not very distant future when state investments in internal improvements would return dividends

⁸ U. B. Phillips, *Georgia and State Rights*, pp. 58-59.

⁹ E. J. Harden, *op. cit.*, pp. 423-424.

¹⁰ Thomas Hart Benton, *Thirty Years' View: A History of the American Government from 1820 to 1850*, I, 58-60.

¹¹ U. B. Phillips, *Georgia and State Rights*, pp. 60-65; E. J. Harden, *op. cit.*, pp. 425-446, 457-493.

¹² E. J. Harden, *op. cit.*, pp. 463-464.

sufficient to meet all the needs of the state for revenue and enable it to dispense with taxation entirely.¹³

The vision of members of the legislature was limited, however, to the immediate prospect of prosperity through exploitation of land fertility in the production of staple crops. This they proposed to facilitate by establishing means of transportation to the seacoast markets. They created a Board of Public Works and entrusted to it the sum of \$50,000 for the purpose of hiring a competent engineer and making a survey of the transportation needs of the state. The board was made up of seven members, one from each congressional district, elected by the legislature, with the governor serving as president.¹⁴ Wilson Lumpkin was chosen from the board to accompany Chief Engineer Hamilton Fulton on the survey during the summer of 1826, and James Hamilton Couper drafted a report to the legislature.¹⁵ Joel Crawford was the third Troup man on the board, though he took no active part in its work.

The report of the short-lived Board of Public Works dealt entirely with transportation facilities built and operated at state expense. The report defended such expenditure on the grounds that it would increase the price of land, augment the population, increase the resources of the country, and add actual value to the products of the country by reducing the cost of transportation to market. "Hence it becomes wise in a government to construct new channels of communication, through those parts of its territory which, possessing fertility, are deficient in the means of transportation."¹⁶ Equally as clearly and explicitly, the report insisted that only permanent loss to the state and its citizens could result from building through unproductive areas. The report recommended to the legislature a four-fold program of state-wide extent: selection and improvement of a seaport; improvement of rivers to the head of navigation; rendering upper courses suitable for smaller boats; and supplementing natural routes by canals or railroads in those districts which had the greatest amount of produce to transport to market.

This report was accompanied by a report from Chief Engineer Fulton that presented more technical and specific details of the board's plan. Fulton gave slight attention to the popular scheme for a grand trunk canal from the Tennessee River to the Atlantic Ocean and pointed out that both the initial outlay and the maintenance costs of such a venture would be extremely high. He gave detailed attention to railway possibilities as offering cheaper and more rapid transportation than could be anticipated from a canal. The engineer also supported the board's contention for railways in fertile areas. He recommended the building of a railroad from Augusta to the Flint River by way of Milledgeville and Macon.¹⁷

¹³ E. J. Harden, *op. cit.*, pp. 294-295.

¹⁴ *Ibid.*, p. 18.

¹⁵ Wilson Lumpkin, *The Removal of the Cherokee Indians from Georgia*, I, 37; E. J. Harden, *op. cit.*, p. 100; E. M. Coulter, *Short History*, p. 238.

¹⁶ *Macon Telegraph*, November 21, 1826; see also E. J. Harden, *op. cit.*, p. 181.

¹⁷ *Macon Telegraph*, November 21, 28, December 5, 1826.

When these two reports were presented to the legislature of 1826, the enthusiasm and leadership of Troup were put to the extreme test. The Clark members of the Board of Public Works had taken small part in the investigation and had nothing to do with drafting the report; hence the report came before the Troup legislature of 1826 as the Troup party's program of internal improvements. The Troupites in the legislature devised an effective means of killing the program without openly repudiating the ideals of their leaders. They passed resolutions which branded Fulton's report a fraud, and demanded that the governor discharge him forthwith.¹⁸ In spite of his lack of political appeal, however, Fulton impressed those with whom he came in close contact as a man of unusual ability and sound common sense as an engineer.¹⁹ Troup, Lumpkin, and Couper simply made a political blunder in recommending Augusta as the terminal of a railway that might serve to divert the inland trade from Savannah to Charleston.²⁰ Neither did their frank preference for the fertile areas of the state commend the program to representatives from the poor and thinly populated counties. These latter naturally objected to a grant of public aid exclusively to those counties that already had an advantage in natural resources. So strong did the tide turn against Troup on the internal improvements program that the legislature killed the whole movement by repealing the bill which had set up the Board of Public Works.²¹ The governor retained Fulton on his own responsibility for another year and pleaded with the Troup legislature of 1827 for some action to improve the facilities for transporting staple crops to market.²² Again the legislature refused to recognize the need for sound planning and control by the state; and a decade of wasteful, loose promotion of private railway companies intervened before the state took any steps leading to state operation. The Board of Public Works, however, was of extreme importance in internal improvements because it presented to the state the well-conceived plan backed by Troup, Couper, and Lumpkin, and diverted some attention from the wasteful expenditure on canal-building.²³

The Troup legislature of 1826 was not so absorbed in the internal improvement issue as to allow the lessons in practical politics taught by the elections of 1825 and 1826 to go unheeded. Political plans for 1827 were formulated along two general lines: by formal act and resolution; and by legislative caucus. There was a strong demand by the Clarkites

¹⁸ *Macon Telegraph*, December 26, 1826; *Journal of the Senate of the General Assembly of Georgia* (1826), (hereinafter cited as *Senate Journal*), pp. 264-265.

¹⁹ E. J. Harden, *op. cit.*, p. 181; Wilson Lumpkin, *op. cit.*, I, 39.

²⁰ *Macon Telegraph*, December 26, 1826.

²¹ *Acts of the General Assembly of the State of Georgia* (1826), (hereinafter cited as *Acts of the General Assembly*), p. 42.

²² *Macon Telegraph*, November 20, 1827. Fulton's experience with the Board of Internal Improvements in North Carolina had already demonstrated the futility of expecting worthwhile results from a program administered under political pressure.

²³ Fletcher Melvin Green, "Georgia's Board of Public Works, 1811-1826," *Georgia Historical Quarterly*, XXII (1938), 134.

for a change to biennial sessions of the legislature as an economy measure. The Troup majority professed to accept the economy idea, but preferred that it be accomplished by a constitutional convention. Hence a resolution was passed which placed the question of a constitutional convention on the ballot in the election of 1827. An act was also passed which restored the general ticket system of electing members of Congress. Under this system congressional districts remained, and one member was chosen from each district. However, each voter in the state was allowed to cast a vote for one candidate in each of the districts.²⁴ This obviously was designed to give the Troup party full advantage of its strength in the areas of heavy population.

Aside from these formal acts of political significance, the legislature of 1826 was important in the origins of the Whig party in that it marked the beginning of nominations by legislative caucus. The first party nominees were chosen mainly on the basis of agreement among party leaders. Governor Troup had virtually exhausted the political fire in the Indian difficulty, his program of internal improvements had been defeated by his own party, and his friends were already pushing his candidacy for the United States Senate.²⁵ When "the friends of Governor Troup" met in caucus during the late days of the legislature of 1826, Edward F. Tattnall and John Forsyth were the strongest candidates for the gubernatorial nomination. Tattnall received only slight support, however, and he later accepted an invitation by Clark leaders to become a candidate for governor after their first nominee, Matthew Talbot, died in the midst of the campaign. Forsyth was nominated by the Troup caucus without serious opposition.²⁶ He was representative of the best type of Whig leadership in Georgia. Urbane, well-educated, aristocratic in person and temperament, he was fitted for public service of a high order, though he had little direct interest in the masses. He had been in public life almost constantly since his admission to the bar in 1802. He was Attorney-General of Georgia, 1808-1811, and served in the national House of Representatives, 1812-1818. Elected to the United States Senate in 1818, he resigned in 1819 to accept appointment as Minister to Spain. During the four years of Troup's administration he was again a member of the House of Representatives and cooperated heartily with Troup in the Indian land difficulty. Throughout his career he had been identified with the Troup faction, though his recent experience in national affairs enabled him to avoid the enmities and personal antipathies suffered by purely local political leaders. Forsyth was elected governor for the two-year term beginning in November, 1827, practically without opposition, as Clark voters were not able

²⁴ *Acts of the General Assembly* (1826), p. 87; *Macon Telegraph*, December 26, 1826.

²⁵ *Macon Telegraph*, February 21, March 12, 1827; *The Argus*, July 16, 1828.

²⁶ *Macon Telegraph*, December 26, 1826, September 24, 1827.

to concentrate their strength after the death of Talbot in September.²⁷

Two sides issues of the election of 1827 were of political significance. The vote on the constitutional convention resulted in a majority of nearly two to one against the calling of a convention. This was a source of gratification to the Clarkites, who feared that Troup leaders wished to initiate a movement for revision of the whole system of representation at the expense of the poor and thinly populated counties.²⁸ Also growing out of the election was a personal feud between Forsyth and Troup leaders in the state, that proved to be the beginning of Forsyth's alienation from the party. The Troup forces concentrated on George Rockingham Gilmer to fill a vacancy in the House of Representatives occasioned by the resignation of Edward F. Tattnall. Gilmer was elected and proceeded immediately to Washington without signifying to Governor Forsyth his acceptance of the seat. Forsyth declared the office vacant and called for a new election. Gilmer refused to offer for election to an office he claimed already to hold legally and resigned the 1827 commission, after being elected to Congress in the regular election of 1828.²⁹

The legislature of 1827 began the agitation of the national tariff policy which overshadowed state issues at intervals for more than a decade. Troup in his last annual message, November 6, 1827, recommended that the legislature pass a "firm remonstrance" against a tariff policy of "taking from the small profits of agriculture to increase the large profits of manufactures."³⁰ The "firm remonstrance," drawn up and passed after Forsyth had assumed executive leadership, was hardly as forceful as Troup desired. It asserted the opinion that "an increase of tariff duties will and ought to be resisted by all legal and constitutional means so as to avert the crying injustice of such an unconstitutional measure."³¹ In less belligerent tones, the legislature disavowed any pretense of recommending the proper mode of resistance, but suggested that the other state legislatures follow its example of sending remonstrances to Congress. During the spring and summer of 1828 political activity in the state revolved around the tariff. Anti-tariff meetings were held, the Troup partisans taking the lead in organizing and directing the sentiment of protest against the "Tariff of Abominations."³² The most notable of these was a mass meeting of more than a thousand people at Athens directly following the Franklin College commencement in August. Prominent among the leaders were men closely associated with the Troup party—William H. Crawford,

²⁷ *Macon Telegraph*, September 24, 1827; U. B. Phillips, *Georgia and State Rights*, p. 110.

²⁸ *Macon Telegraph*, October 23, 1827.

²⁹ George Rockingham Gilmer, *Sketches of Some of the First Settlers of Upper Georgia, of the Cherokees, and the Author*, pp. 241-242.

³⁰ *Macon Telegraph*, November 20, 1827; see also E. J. Harden, *op. cit.*, p. 500.

³¹ H. V. Ames, *op. cit.*, pp. 146-148.

³² *Acts of the General Assembly* (1827), pp. 203-214; *Macon Telegraph*, July 21, 1828.

Augustin Smith Clayton, John Macpherson Berrien, and George M. Troup. "Much oratory against the tariff resulted."³³ Practically all the newspapers in the state, Clark and Troup, opposed the tariff, though they insisted that no disunion was contemplated. Some consideration was given by politicians in the heat of the agitation to a scheme for a state tariff on manufactured articles as a means of retaliation.³⁴ In November, at the request of the student literary societies, the trustees of Franklin College passed a rule that all students wear homespun clothing as a protest against the tariff.³⁵

The Troup leaders were so absorbed in the tariff question that they failed at the Athens meeting to decide on a ticket of names for the congressional election. On August 23, 1828, a group of "citizens, summer residents, and visitants, from the counties of Richmond, Columbia, Wilkes, Elbert, Oglethorpe, Franklin, Putnam, and Morgan" met at Madison Springs to draw up such a list of names. Their statement made no reference to the local factions but emphasized the need for concentration of all the votes in the Democratic-Republican party. Presented to voters "in the order in which they are named" were George R. Gilmer of Oglethorpe, Richard Henry Wilde of Richmond, Wiley Thompson of Elbert, Charles E. Haynes of Hancock, James Moore Wayne of Chatham, Thomas Flournoy Foster of Greene, and James Meriwether of Clarke.³⁶ All these nominees except Wayne resided in the plantation section of middle Georgia. This was in no sense a state convention, but it assumed the functions of a convention, and the men named received the support of Troup voters. Both parties offered electoral tickets in support of Andrew Jackson, but the Troup leaders were able to sweep the state with the "Troup Ticket."³⁷ Gilmer, Wilde, and Foster were outstanding individuals among the Troup nominees; and all three, along with Haynes, were closely associated with the anti-tariff movement.³⁸

Though the partisans in Georgia could agree on supporting Andrew Jackson and opposing the tariff, they differed violently concerning candidates for state offices.³⁹ In Bibb County, Doctor Ambrose Baber, a Troup candidate for the legislature, went armed during the campaign to protect himself from threats of violence by Judge Charles James McDonald. McDonald became enraged when Baber reported that his Clark opponent was pledging voters to support McDonald for re-election.⁴⁰ On the face

³³ Ellis Merton Coulter, *College Life in the Old South*, p. 188, quoting the *Athenian*, August 12, 1829.

³⁴ *Macon Telegraph*, August 18, 1828.

³⁵ E. M. Coulter, *College Life*, pp. 187-189; U. B. Phillips, *Georgia and State Rights*, pp. 116-118.

³⁶ *The Argus*, August 16, September 11, 1828.

³⁷ *Ibid.*, October 9, November 6, 1828; *Macon Telegraph*, September 22, 29, 1828.

³⁸ *The Argus*, August 16, 1828. ³⁹ *Macon Telegraph*, September 29, 1828.

⁴⁰ Hand-bill, issued by Baber, December 1, 1828; Hand-bill issued by McDonald, December 8, 1828, giving Baber permission to cease carrying a "small fowling piece" for protection.

of the election returns, the Troup party received a majority in both houses.⁴¹ But a close observer in sympathy with the Clark party reported that a third party almost as strong as either of the old personal parties was rising in the legislature and would soon seize the leadership in the state.⁴²

This third party was the Union party, which wrested control from the Troup leaders in the state and forced them to reorganize their forces into a State Rights party. The effect of its strength in the legislature was evident in the moderate language of the resolution protesting the tariff of 1828. Georgia as a sovereign state simply protested against the late tariff and asked the other states to join in that protest. The resolutions also recommended a policy of self-support for states opposed to the tariff and strenuous exertion to defeat the pernicious and unconstitutional policy followed by advocates of the tariff.⁴³ The adjournment of the legislature brought the anti-tariff agitation practically to a stand-still. Judge Augustin S. Clayton of Clarke, active in the anti-tariff agitation and the only avowed nullifier among Troup leaders, built a cotton mill on the Oconee River near Athens which, according to Clayton's own statement, was highly profitable. Students at Franklin College soon became dissatisfied with their homespun uniforms and welcomed abandonment of the rule as eagerly as they had championed it in 1828.⁴⁴ Their elders over the state shifted ground on the question as radically, and in less than a year following the anti-tariff meeting of August, 1828, the "Anti-Societies" were mentioned in terms of polite disdain or ridicule.⁴⁵

On the question of internal improvements the legislature of 1828 represented the extreme reaction against the system of state-owned railways proposed by Governor Troup in 1826 and 1827. It reverted to the piecemeal policy of aiding friendly corporations in strategic points on the political map, though it retracted the censure of Hamilton Fulton pronounced two years earlier. This legislature decided that the state had wasted \$321,000 on rivers but authorized the governor to continue the policy of waste by investing \$44,000 in the stock of the Savannah and Ogeechee Canal Company.⁴⁶ This was one of the projects that Hamilton Fulton had three years earlier declared not feasible. The opinion of a technical expert did not prevent prodigality in the use of state funds from

⁴¹ *The Argus*, October 23, 1828.

⁴² *Ibid.*, November 27, 1828; U. B. Phillips, *Georgia and State Rights*, p. 112, states that the formation of the Union party began in 1829.

⁴³ *Acts of the General Assembly* (1828), pp. 177-183; H. V. Ames, *op. cit.*, p. 154; Ellis Merton Coulter, "The Nullification Movement in Georgia," *Georgia Historical Quarterly*, V (1921), 4.

⁴⁴ Augustus Longstreet Hull, *Annals of Athens, Georgia, 1801-1901*, p. 101; E. M. Coulter, *College Life*, pp. 190-191.

⁴⁵ *Macon Telegraph*, August 1, 1829.

⁴⁶ *Acts of the General Assembly* (1828), pp. 72, 219-220; *The Argus*, January 1, 1829; E. M. Coulter, *Short History*, pp. 237-238.

attracting votes to the Troup party in the bitterly contested gubernatorial elections of 1829 and 1831.

However far the followers of Troup missed the imperial vision of their leader in internal improvements, they were certainly capable of thinking in terms of a grand design in public finance and political promotion. This they revealed in the Central Bank bill of 1828. Though the state had been subscribing to large blocks of stock in banking companies both as profitable investment and as an encouragement to business development, the only serious mention of a state-owned bank preceding 1828 had come from John Clark during his governorship.⁴⁷ Troup simply insisted during his terms as governor that banks be operated in such a manner that specie payment should be maintained, that no unfavorable balance be allowed to accumulate against Georgia banks, and that public confidence in banks should be maintained.⁴⁸

The Central Bank charter created a state-owned bank and credit agency. It provided that the capital stock of the bank should consist of all the money in the state treasury, the bonds and bank stock owned by the state, all indebtedness to the state, and all money arising from the sale of fractional and town lots. All taxes collected and dividends accruing from state-owned stock were to be deposited in the bank and held subject to drafts authorized by legislative appropriation. The operation of the bank was placed in the hands of a board of three directors appointed annually by the governor; the board was required to make an annual statement of the bank's condition to the governor and the General Assembly. The chief business of the bank, other than handling the state's financial affairs, was "to discount bills of exchange and notes on two or more good securities," such loans not to exceed \$2,500 to an individual and to be distributed on the basis of population. The bank's power to issue currency was limited to a maximum amount equal to the total specie and current bills in its vaults. The authors of the charter evidently assumed that a bank should borrow money, for without including a borrowing power the charter stated that the bank's indebtedness should never exceed the amount of its capital. The charter was to remain in force until 1840.⁴⁹

Although the Troup authors of the Central Bank charter did not state specifically the purpose of the bank, their Clark opponents immediately branded the institution as an engine of financial oppression and political manipulation. They charged from the first that loans would create a deficit in state funds and necessitate increased taxation. They predicted that poor men who really needed financial aid would not be granted loans under the requirements for proper securities.⁵⁰ These forebodings proved

⁴⁷ E. M. Coulter, *Short History*, pp. 262-263.

⁴⁸ E. J. Harden, *op. cit.*, pp. 242, 297-298.

⁴⁹ *Acts of the General Assembly* (1828), pp. 33-40; *The Argus*, December 26, 1828; Ulrich Bonnell Phillips, *The Life of Robert Toombs*, p. 19.

⁵⁰ *The Argus*, January 15, 1829.

well-founded when the bank began operations. In February, 1829, bills of the Bank of Darien in the state treasury were transferred to the Central Bank and made subject to loans to debtors of the Bank of Darien.⁵¹ Three months later, the Central Bank was ready to proceed on its own financial power, with \$2,000,000 reported ready for distribution. James Camak, editor of the *Georgia Journal*, at that time recognized as the official Troup organ at Milledgeville, was the first chairman of the board of directors and president of the Central Bank.⁵²

The Troup leaders continued their supremacy in the state's political and financial affairs during 1829 less because of the wisdom or popularity of their policies than because of the lack of organization and leadership among their political enemies. After the removal of John Clark to Florida in 1827, his followers were without a leader until most of them found a place in the Union party. Hence the Troup leaders had nothing to fear unless some of their number should make an unauthorized appeal to Clark voters and defeat the regular candidate. To avoid this contingency and to give the Central Bank critics time to exhaust their arguments, no nomination for governor was attempted in legislative caucus in 1828. During his term as governor, John Forsyth had not entirely satisfied the state rights element in the Troup party and had alienated all of Gilmer's friends. In spite of his undoubted Union sympathy in the anti-tariff agitation of 1828, he had signed the Central Bank bill and could not expect to attract the needful Clark votes.

The qualifications for a successful gubernatorial candidate that Forsyth lacked in 1829 were possessed in eminent degree by George R. Gilmer. Not privileged in his youth to receive the college training so common among Troup leaders, he obtained, largely by his own talents in finance and study, a diploma from the academy of Moses Waddell in 1808. After teaching a few years, he entered public life, married wisely, and settled in Oglethorpe County, where he combined successful farming with public service. In 1827 and 1828 he won majorities of votes in the state as a Troup candidate for membership in the House of Representatives and received considerable public notice in his controversy with Governor Forsyth concerning his election in 1827. His early career as a lieutenant in the militia and a county politician brought him in close contact with frontier life, and he demonstrated his ability for leadership in that stratum of society intimately associated with the Clark party.⁵³ On the eve of the August commencement of Franklin College, Gilmer was expected to receive special consideration by the Troup caucus in conjunction with that annual event.⁵⁴

When the caucus met, however, it was found impossible to reconcile

⁵¹ *The Argus*, February 16, 1829.

⁵² *Ibid.*, May 9, 1829.

⁵³ G. R. Gilmer, *op. cit.*, pp. 180-186, 200-202, 217-218, 241-242, 454-455.

⁵⁴ *The Argus*, August 6, 1829.

the claims of Gilmer on the gubernatorial nomination with those of Joel Crawford, a native of Richmond County, who had practiced law in Milledgeville and was then located in Hancock County.⁵⁵ Crawford's main source of strength was the Troup leaders residing in and around Athens, commonly referred to as the "Athens Junto." They pushed their candidate so vigorously that the usual statement of unanimous support for a nominee was not forthcoming, and both men stayed in the race.⁵⁶ The Clark party made no nomination, but threw its support to Gilmer, who also claimed the endorsement of the official Troup caucus at Athens. He was elected governor by an overwhelming majority.⁵⁷ In his inaugural address, Gilmer said that he was governor of the state and not a party, and he later supported the election of Forsyth to the United States Senate, though Forsyth had openly joined the Clark party. That this friendliness between the parties did not extend to the spoils of state politics was indicated by Gilmer's frank avowal that he would name Troup men to the offices filled by gubernatorial appointment.⁵⁸

Although Gilmer possessed the knack of appealing to the sentiments of common folk, his sympathies were actually with the well-to-do planters, and in matters of public finance he was highly sympathetic to the property-holders and business men. These basic factors in Gilmer's character made him an ideal leader for the Troup party. His seeming desertion of his Clark supporters in the election of 1829, however, brought him personal grief, unpopularity, and a large number of political opponents who hounded him throughout his remaining career.

Gilmer was revealed in his true colors to his democratic friends by his assent to the bill of 1829 amending the Central Bank charter. This bill came as a result of severe criticism of the directors, for their policy of charging fees for the delivery of land certificates and for their refusal to discount notes of less than \$100. It provided that the bank might discount the note of an individual to the state in any amount up to the \$2,500 limit of the original charter and might renew an outstanding debt to the state in any amount whatsoever. Another change provided for the use of the "Federal Ratio" in determining the basis for distribution of loans, giving a distinct advantage to the residents of counties having large slave holdings. Dividends of bank stock owned by the state were to be paid to the state treasurer for financing internal improvements and public education. In addition to these changes in the fundamental policies of the Central Bank, the directors were virtually given plenary powers over state finance, subject only to the yearly report. The directors were also given

⁵⁵ George White, *Historical Collections of Georgia*, p. 426.

⁵⁶ *The Argus*, August 6, 20, 1829.

⁵⁷ *Senate Journal* (1829), p. 20; *Macon Telegraph*, September 12, 1829.

⁵⁸ *Journal of the Lower House of the General Assembly of Georgia* (1829), (hereinafter cited as *House Journal*), p. 29; *Macon Telegraph*, November 14, 1829; G. R. Gilmer, *op. cit.*, pp. 245-246.

the discretionary power to levy as much as twenty per cent on renewals of notes and to refuse to bring the books of the Central Bank into court on demand of a party engaged in a suit against the bank.⁵⁹

The reactionary character of this measure seemed not to dawn immediately on the democratic element in the state because of public absorption in another Indian land craze. After 1820 the Cherokee Indians, under the lead of half-breed and white chiefs, steadfastly refused to give up the last remnant of their ancestral lands in the northwest section of the state. The Cherokees, recognized and treated as a sovereign nation by the United States government, drew up a constitution in 1827 and were making distinct advances in appropriating the elemental features of the white man's culture—settled homes, cultivation of crops, and a written language. By 1827 it was a common practice among the Cherokees to lease their lands to white men for planting, a practice which was the basis of untold trouble for law enforcement bodies in the neighboring counties.⁶⁰ These circumstances excited in land-hungry Georgians resentment and ugly forebodings for the future of a state populated by three distinct races. The state claimed jurisdiction over the territory of the Cherokees by virtue of colonial grants and the agreement of 1802 with the United States government for the ultimate removal of all the Indians from Georgia. In 1828, the legislature passed an act providing that all white persons residing in the Cherokee country were subject to the laws of Georgia and that after June 1, 1830, all Indians were subject to special acts passed for their regulation. This act brought about a situation in which the Cherokee Nation, the United States, and the state of Georgia each claimed jurisdiction over the territory, with no mutual agreement between the three nominally sovereign powers. Neither did any or all of the three powers have a police force in the area adequate for any unusual disorder.⁶¹

This three-cornered imbroglio became a political issue of compelling importance to Governor Gilmer and the Troup party by virtue of the discovery of gold in the Cherokee country in July, 1829. Literally hundreds of men flocked into the area, rendering acute the problem of law enforcement in the border counties. The legislature of 1829, acting without regard to the claims of sovereignty by the Cherokee Nation or the wardship of the United States over it, took steps to enable the counties to maintain order. It passed an act extending the counties of Carroll, DeKalb, Gwinnett, Hall, and Habersham to include the Cherokee territory. These counties were further strengthened by legislation which specifically extended the laws of Georgia over the new territory, annulled the laws of the Cherokees, and prohibited the acceptance of Indian testimony in

⁵⁹ *Acts of the General Assembly* (1829), pp. 19-23; *Senate Journal* (1829), pp. 170, 180; *Macon Telegraph*, January 23, 1830.

⁶⁰ *Macon Telegraph*, November 13, 1827.

⁶¹ U. B. Phillips, *Georgia and State Rights*, pp. 66-73; E. M. Coulter, *Short History*, pp. 216-217.

legal suits against white persons. The last check on the exploitation of the gold deposits was removed by the repeal of an act of 1825 which had set apart as reserves for the use of the state all mineral ores on state-owned lands.⁶²

These measures were in perfect accord with the current demand for rapid economic exploitation and a large measure of local self-government. They proved wholly inadequate to meet the critical situation which rapidly developed, and the drastic measures taken by Governor Gilmer in a tardy effort to assert the authority of the state brought a rapid decline in his own popularity and greatly weakened his party in the face of the rising power of the Union party. By the summer of 1830 around 3,000 men were digging gold in the Cherokee country, though no measure for the removal of the Indians had been taken and no grants of lands or mining privileges had been made by the state. Some humanitarian writers have wondered that a civilized people could so ruthlessly deprive the helpless aborigines of their homes and means of livelihood.⁶³ A more compelling cause for wonder is that no tragic wave of violence and murder swept through the welter of adventures and fortune-seekers that preyed upon the unorganized country. From such a condition the state was saved by the decisive action of Governor Gilmer. He issued an executive proclamation warning Indians and white people alike to remove from the property of the state and called upon President Jackson to send a detachment of troops into the area.⁶⁴ Gilmer also called the legislature into special session a month before the date of the regular November session. As steps were initiated to give legislative sanction to Gilmer's emergency acts, he requested President Jackson to withdraw the United States troops. Jackson with his characteristic frontier sympathies, immediately agreed to do this, and Georgia was left in virtually complete control of the Cherokee area.⁶⁵

Gilmer's message to the special session of the legislature was a sane and able analysis of the critical Cherokee problem. However, his pointed and somewhat arbitrary suggestions for legislative action were interpreted by his political enemies as attempts at executive tyranny. Gilmer recommended legislation for the effective removal of persons hunting for gold on unceded lands and for the acceptance of Indian testimony in courts. These things he considered necessary for the proper enforcement of the law and the protection of the Indians in their elemental rights of life and property. Finally, as if determined to condemn himself before the lower economic class of the population of Georgia, Gilmer recommended that the gold lands be withheld for distribution by lottery. Otherwise, the "love of gain" might excite an unhealthy fever of speculation in the state.

⁶² *Acts of the General Assembly* (1829), pp. 98-101, 108-109; *Macon Telegraph*, January 2, 9, 1830.

⁶³ Rachel Caroline Eaton, *John Ross and the Cherokee Indians*, p. 125.

⁶⁴ G. R. Gilmer, *op. cit.*, pp. 266-269.

⁶⁵ *Senate Journal* (1830), p. 175; G. R. Gilmer, *op. cit.*, pp. 282-289.

In explaining his reasons for these recommendations, he described the situation since the discovery of gold in this fashion:

The whole community became very much excited by rumors of the great profits made by those engaged in searching for gold. The love of gain became stimulated to excess. All classes of people, but especially the idle and profligate pressed into the mineral country, with the hope of acquiring wealth with little labor.⁶⁶

The Troup party had a narrow majority in the lower house of the legislature in 1830, while the Clark party held an equally narrow majority in the senate.⁶⁷ Gilmer recommended as the basis for a permanent settlement of the Cherokee difficulty the passage of a resolution giving President Jackson the right to grant lands to Indians who refused to remove immediately from Georgia soil. This he characterized as the most expedient means of getting the assent of the principal chiefs to gradual though permanent removal.⁶⁸ The legislature, however, would brook no such moderate measure. The bill passed by the legislature and signed by Gilmer authorized the survey and distribution of lands "in the occupancy of the Cherokee Tribe of Indians," and empowered the governor to call out a military force to protect the surveyors in their work. Interference with the survey was to be punished by prison terms of not more than five years. The bill provided for the protection of Indians holding improved lands there, under the former Cherokee government, but provided no special administrative machinery for carrying this part of the act into effect. Such Indians were forbidden to sell or rent their lands; and drawers of lots on which Indians resided were prohibited from taking possession until the Indians had given up their claim to the government of the United States or that of Georgia.⁶⁹ This act gave the governor a wide latitude of discretionary power in the actual removal of the Indians, which was dependent in the last analysis on close cooperation between the state executive and the United States government. Further legislation required the governor to take possession of the gold mines in the Cherokee country and declared the digging of gold from these mines a misdemeanor punishable by a four-year term of imprisonment.⁷⁰ A third bill required the governor to grant licenses of residence to those white residents in the Indian territory who would take an oath to support the constitution and the laws of Georgia. The same bill pronounced residence without a license from the governor a high misdemeanor punishable by not less than four years imprisonment.⁷¹ All these measures reflected the necessity of ex-

⁶⁶ *Senate Journal* (1830), pp. 8-15.

⁶⁷ *Ibid.*, pp. 3-5; *Macon Georgia Telegraph*, October 16, 1830.

⁶⁸ *Senate Journal* (1830), pp. 268-269; *Macon Georgia Telegraph*, December 18, 1830.

⁶⁹ *Acts of the General Assembly* (1830), pp. 154-156.

⁷⁰ *Ibid.*, pp. 127-145; *The Democrat*, January 8, 1831.

⁷¹ *Acts of the General Assembly* (1830), pp. 114-117; U. B. Phillips, *Georgia and State Rights*, pp. 73-74.

panding executive power under the double impetus of colonizing a "backward area," and preventing violence in a time of crisis. The exercise of these powers, however, had an adverse effect on the political fortunes of Gilmer and the Troup party in the election of 1831.

In the meantime, Augustin S. Clayton, Judge of the Western Circuit, was rendering decisions in Indian cases that had immediate effect on the fortunes of the Troup party. Clayton was graduated from Franklin College in 1804, a member of the institution's first class. He was admitted to the bar at Athens in 1806. He practiced law in Athens and was secretary to the board of trustees of Franklin College. Closely associated with the Troup party, he was elected Judge of the Western Circuit in 1819, was turned out of the office after the Clark victory in the legislature of 1825, and was elected again by the Troup legislature of 1828. In 1830 the Superior Court of Hall County found an Indian, George Tassels, guilty of murder. Judge Clayton disallowed an appeal to the Supreme Court of the United States and ordered the sheriff of Hall County to hang Tassels. The Supreme Court then issued and had served on Governor Gilmer an injunction against the execution of Tassels. Gilmer transmitted the injunction to the General Assembly of 1830. The legislature passed resolutions which branded the interference of the Supreme Court as a flagrant violation of the rights of Georgia and instructed state officers to disregard any injunction that would hinder the execution of the state's criminal law.⁷² In 1831 Clayton presided in the Worcester and Butler case and sentenced these two missionaries to four years imprisonment under the terms of the law of 1830 concerning residence of white men in the Indian territory.⁷³

These decisions were of importance to the solution of Georgia's Indian problem and have received attention at the hands of the general historians.⁷⁴ A third decision had more immediate consequence on the Georgia political situation in the thirties. Clayton declared, in a charge to a jury in 1830, that Indians could expect to receive at his hand a just and impartial enforcement of the laws pertaining to them. In 1831 an Indian was brought to trial in Clayton's court charged with violating the law of 1830 prohibiting the digging of gold in Cherokee territory. It was clearly shown that the Indian, Canatoo by name, had dug gold on land granted him under the protective provision of the Indian land law of 1830. Clayton ordered Canatoo released and declared the law under which he had been arrested unconstitutional, since it was equivalent to taking

⁷² *Senate Journal* (1830), p. 377; *Acts of the General Assembly* (1830), pp. 282-283.

⁷³ Stephen Franks Miller, *The Bench and Bar of Georgia*, I, 32, 139-144, 165; A. L. Hull, *op. cit.*, p. 54; G. R. Gilmer, *op. cit.*, pp. 328-330; H. V. Ames, *op. cit.*, pp. 39-40.

⁷⁴ U. B. Phillips, *Georgia and State Rights*, pp. 75-83.

land from the Indians by force.⁷⁵ Whereupon, Governor Gilmer ordered the commander of the military guard in the Cherokee country to enforce the law against the digging of gold, regardless of the judge or his decision.⁷⁶

While the Troup leaders were thus disagreeing among themselves on a vital issue, the forces of opposition were being marshalled under a leadership worthy of the cause of liberal democracy. Wilson Lumpkin, a native of Pennsylvania, spent his boyhood and lived until 1818 in Oglethorpe County. He was, after 1804, a member of the bar and served several terms in the state legislature. In 1818 he received an appointment as Indian commissioner and removed to Morgan County. At first he was associated with the Crawford party, but followed Andrew Jackson in 1824 and was a candidate that year on the Jackson electoral ticket. He was selected by the Troup party in the legislature of 1825 as a minority member of the Board of Public Works, 1825-1826, and supported Troup's plan for internal improvements. He was elected to Congress in 1826 after pledging his best effort to obtain possession of the Indian lands to stimulate railway building. In Congress, 1826-1831, he was an active and well-informed member of the committee on Indian affairs. Throughout these years he insisted with Cato-like repetition that the Indians must go. He was equally insistent that removal must be effected by just, humane, and legal means.⁷⁷

During the winter of 1830-1831, Lumpkin was mentioned as a possible candidate for governor. In February he wrote from Washington to Troup editors, declaring that he was not a candidate. His reasons for the refusal of an honor not yet proffered were: he already held office from the people for two years to come; he could be of more service to the state in the Indian difficulty by remaining in Congress; he did not wish to stir up party feeling in the state at a critical time when Georgians of all parties were in agreement on the preservation of liberty and union.⁷⁸

Troup editors who published Lumpkin's letter soon rued their action. The old Clark followers, now boasting the name "Unionists," continued to press on Lumpkin the nomination, which he could still accept without equivocation. Finally, a Clark-Union caucus at Athens flatly demanded of Lumpkin that he accept nomination at its hands. Lumpkin yielded to the "voice of the people" and announced his candidacy for the governorship.⁷⁹

Gilmer, Lumpkin's opponent, was not able to unite the full strength of

⁷⁵ S. F. Miller, *op. cit.*, I, 146, 187; *Macon Georgia Advertiser and Agricultural and Mercantile Intelligencer*, October 7, 1831.

⁷⁶ *Macon Advertiser*, September 23, 1831; G. R. Gilmer, *op. cit.*, pp. 326-327.

⁷⁷ Wilson Lumpkin, *op. cit.*, I, 32, 37, 41, 44, 49; *Georgia Messenger*, August 13, 1831.

⁷⁸ *Georgia Messenger*, February 9, 1831.

⁷⁹ *Ibid.*, April 23, June 4, 11, 1831; Wilson Lumpkin, *op. cit.*, I, 90-91.

the Troup party in his behalf. "That portion of the Troup party who at the late election supported Mr. [Joel] Crawford" nominated Thomas Haynes of Hall County and raised the threat of appealing to Clark voters to defeat Gilmer.⁸⁰ The regular Troup press, however, supported Gilmer and poured ridicule on the effort of the Clarkites to raise a standard of "Unionism" to attract the leaders they lacked.⁸¹ Troup leaders published a letter over Haynes' signature announcing his withdrawal from the campaign, though they refused to produce the original when challenged by Haynes' friends. Troup papers also referred to Haynes as the "now ex-candidate for Governor," and as being "not fit for the office of Governor."⁸² After Lumpkin's acceptance of the Union nomination, Haynes announced his withdrawal from the campaign through the columns of the Union papers and joined the Union party.⁸³ Gilmer, who had lost the confidence of the Clark party without gaining the respect of the Troup party, was thus foisted on the latter party by the influential leaders whose property interests blinded them to Gilmer's political errors in dealing with the Central Bank and the occupation of the Indian lands.

While the Troup party was being weakened by the defection of its own leaders, the Clark-Union party was being strengthened by the establishment, 1826-1831, of several newspapers. In Savannah, Cosam Emir Bartlett, editor of the daily *Mercury*, established the *Argus*, a weekly devoted especially to political discussion, and designed to appeal to the up-country.⁸⁴ In 1830 Bartlett moved to Columbus and continued his attacks on the "aristocracy" through the columns of *The Democrat*. He was such an uncompromising foe of pretense and deception that he would not support Lumpkin in 1831 because of his former connection with the Troup party. The slight criticism of this flaw in Lumpkin's career, however, was as nothing compared to the scathing denunciations he poured on Gilmer.⁸⁵ Macon, rapidly throwing off its frontier character but clinging to the economic and cultural patronage of southwest Georgia, was after 1826 the home of the *Telegraph*, a strong Clark-Union organ under the editorship of Myron Bartlett.⁸⁶ In the summer of 1830, the press of the *Statesman and Patriot* at Milledgeville was bought at a sheriff's sale by Henry Solomon, who engaged John G. Polhill to edit a new paper, *The Federal Union*. Within a few months *The Federal Union* was likewise threatened with financial ruin. It was rescued by Doctor Tomlinson Fort with the avowed purpose of maintaining a Union paper in the capital

⁸⁰ *The Democrat*, January 15, 1831.

⁸¹ *Georgia Messenger*, February 5, April 23, August 6, 13, 1831.

⁸² *Federal Union*, August 11, 1831; *Georgia Messenger*, August 6, 13, September 10, 1831.

⁸³ *Macon Advertiser*, September 5, 1831; *Georgia Messenger*, September 10, 1831.

⁸⁴ *Macon Telegraph*, July 14, 1828, corrected list of Georgia newspapers from *Traveller* (Philadelphia).

⁸⁵ *The Democrat*, October 16, 1830; *Georgia Messenger*, September 3, 1831.

⁸⁶ *Macon Telegraph*, November 1, 1826.

city. After Fort's purchase of the paper, John A. Cuthbert became associated with Polhill in the editorship and also in the practice of law.⁸⁷ These men proved exceedingly able opponents of the Troup leaders and soon made the *Federal Union* the leading Union paper in the state. With these strong weeklies and the older *Chronicle* at Augusta, the Union party in 1831 directed a strong fire of criticism at the unpopular measures and characteristics of the Troup party under Gilmer's leadership. Of the half dozen smaller weeklies in the planting area, only one, the *Macdonough Jacksonian*, supported the Union party in 1831.⁸⁸

The opening shot of the barrage against Gilmer and the Troup party was fired before the adjournment of the legislature of 1830. When Gilmer ordered that the law against digging gold be published "in no paper in the support of the Clark party" those papers warned him that they had the larger circulation in the area affected.⁸⁹ Later, the frontier readers of the Clark-Union papers learned of the discrimination against them in apportioning loans from the Central Bank on the basis of the "Federal Ratio" which added three-fifths of the slave population to that of the whites. The Clark-Union organ at Milledgeville published a list of names to show that all officers of the state and fourteen of eighteen bank presidents in the state were Troup men.⁹⁰ As the campaign reached the heated climax of late summer, Cosam E. Bartlett of *The Democrat* stated as self-evident facts that the Troup aristocrats held a monopoly on government and business and directed the whole life of the state for their own benefit. Appealing to the understanding of the common man, he pointed out that the Troup administration had loaned money through the Central Bank only to those who could furnish safe collateral and who had re-loaned the money thus borrowed at twenty-five to one hundred per cent. The same imaginative and effective writer explained Georgia's lack of a public school system by a statement that the aristocrats used state funds to educate their sons in Franklin College, but refused to establish common schools for the poor people. Finally, he branded the Troup insistence on an adequate state penitentiary as a scheme for rewarding party leaders and as an instrument of oppression for poor people.⁹¹

The direct charges against Gilmer were equally explicit and simple when viewed from the standpoint of the democratic frontiersman. A summary, published shortly before the election, declared that Gilmer deliberately provoked the argument concerning a seat in Congress and started a crusade against Forsyth in 1826; betrayed the Clark men who voted for him in 1829; attempted to keep the people away from their gold mines and save the treasure for his aristocratic friends, and even placed a mili-

⁸⁷ *The Federal Union*, July 10, 1830, February 15, 22, 1831.

⁸⁸ *Ibid.*, November 3, 1831, list of political newspapers of the state.

⁸⁹ *Macon Georgia Telegraph*, December 25, 1830.

⁹⁰ *Federal Union*, February 15, June 30, 1831.

⁹¹ *The Democrat*, August 27, 1831.

tary guard in the Cherokee country to accomplish this purpose; recommended the continuance of the penitentiary. The final statement in the summary indictment was that Gilmer was a nullifier.⁹² In September Gilmer ordered the commander of the militia to enforce the law against gold digging in disregard of Judge Clayton's decision nullifying the state law against the digging of gold by an Indian. This action of Gilmer against a nullifier of state law was castigated as follows: "By this step he has put the judiciary under the feet of the Executive, and transformed into mockery the arm of the government created expressly to repel usurpation and guard personal security and personal freedom."⁹³

The Troupites in defense of Gilmer denied the charge that he had appointed only his own friends to state offices. They pointed out that Gilmer had signed a law for the distribution of the gold lands, regardless of his own belief that they should be reserved for the state. They characterized efforts of Union editors to prejudice voters against Gilmer as "pitiful, contemptible trifling with the common sense of the people."⁹⁴

The personality of Gilmer and his administration were the chief issues of the gubernatorial election of 1831. A third issue which determined many votes was the question of Federal relations. The Troup party anti-tariff resolution in the senate in 1830 declared that in case of an unconstitutional act by Congress such as the tariffs of 1824 and 1828 "each State throwing itself upon its original sovereign and reserved rights, may of right do any act which the people of such state may deem necessary for their peace and happiness."⁹⁵ This substitute was offered by Doctor William C. Daniel of Chatham; it became the subject of a warm controversy between Troup and Clark papers.⁹⁶ Using this substitute and a fiery letter written by George M. Troup to the nullifiers of South Carolina, the Clark papers soon built a strong case for the charge of nullification on the South Carolina model, and the Troup supporters were forced to assume the defensive on their chosen issue.

To lay this spectre of nullification, John M. Berrien was called from Washington. Active in politics since 1809, Berrien's devotion to the Troup party antedated the name itself. At the time Attorney-General in Jackson's cabinet, he was the best qualified man in Troup ranks to explain that state sovereignty did not mean nullification or treason to the United States. This he did in an eloquent speech at Savannah, May 4, 1831. Among other things he said:

Vigilant in the assertion of the rights of state sovereignty the people of Georgia have ever been prompt to rally round the General Government, in vindication of its claim to the full exercise of its whole constitutional

⁹² *Federal Union*, September 1, 22, 1831.

⁹³ *The Democrat*, October 1, 1831.

⁹⁴ *Georgia Messenger*, August 27, September 10, 17, 1831.

⁹⁵ *Senate Journal* (1830), p. 110; see also *Federal Union*, November 20, 1830.

⁹⁶ *Senate Journal* (1830), p. 113; *Macon Georgia Telegraph*, December 18, 1830.

authority. . . . An enlightened public opinion which constitutes the moral and efficient strength of our government will still perpetuate the bond of our Union, coercing obedience to the legitimate authority, while it exercises also a salutary restraint upon rulers.⁹⁷

Later in the campaign and after resigning from Jackson's cabinet, Berrien became a leading spirit in an anti-tariff meeting at Athens. This meeting elected eighteen delegates to the national anti-tariff convention held at Philadelphia in September, 1831. The delegation was headed by Berrien and contained others known as Troup partisans. The most prominent figures in the delegation were Berrien, Augustin S. Clayton, James Camak, and James H. Couper.⁹⁸ Clayton was the only Troup leader who openly defended nullification. Camak was editor of the *Georgia Journal*, head of the Central Bank, and holder of three minor offices by appointment of Governor Gilmer.⁹⁹ James H. Couper was representative of the coastal aristocracy and had been active on the short-lived Board of Public Works. William H. Torrance, another delegate, was a self-educated and successful lawyer of Milledgeville and active in the support of the Troup party, though he never asked for office for himself.¹⁰⁰ These men were sent to the Philadelphia Convention with instructions to fight the unconstitutional tariff acts of Congress, but to refrain "from all deliberations tending either directly or remotely to the dismemberment of the Union."¹⁰¹ In the meantime, Troup editors repeated again and again that opposition to the tariff was not nullification.¹⁰² The Troup party's championship of the rights of the state, however, coupled with the reiterated charge of nullification by the Clarkites, identified the Troup party with opposition to the Federal government. This circumstance had an adverse influence on Gilmer's chance for re-election as governor.

When the election was over and the votes were counted, it was found that Lumpkin had a majority of about 1,500 votes for governor, while the Troup party held a safe majority in both houses of the state legislature.¹⁰³ A curious mix-up of issues, personalities, and support of state party machines made this election notable. Lumpkin, a friend of John C. Calhoun, was congratulated by Calhoun's friends for a victory achieved through support from a party in Georgia that denounced Calhoun and all his works.¹⁰⁴ As a matter of fact, nullification as a basis for party division played a very small part in the election. The gubernatorial election of 1831 reflected the resentment of democratic voters against Gilmer's

⁹⁷ *Georgia Messenger*, May 14, 1831; see also S. F. Miller, *op. cit.*, I, 45-99; *Federal Union*, May 6, 1831.

⁹⁸ *Georgia Messenger*, August 3, 1831.

⁹⁹ *Federal Union*, June 30, 1831.

¹⁰⁰ S. F. Miller, *op. cit.*, II, 296-298, 315.

¹⁰¹ *Georgia Messenger*, August 13, 1831.

¹⁰² *Ibid.*, July 30, August 27, September 10, 1831.

¹⁰³ *Ibid.*, October 15, 22, 1831.

¹⁰⁴ *Georgia Messenger*, November 5, 1831.

administration. This resentment was heightened by the charge of the Clarkites that the Troup aristocrats had already seized the state government and were trying to block the will of the people permanently by the device of nullification. In the established centers of population in east and middle Georgia, Gilmer retained all that Troup had held in 1825. Of the fourteen counties west of Flint River added to the map since 1825, Gilmer received a majority vote in two counties, Troup and Harris. Lumpkin received a majority in the remaining twelve and won the governorship by virtue of this geographical expansion of the Clark-Union strength.¹⁰⁵

In dividing the political spoils in the election of 1831, both the Troup legislature and the Union governor had an opportunity to reward friends and punish enemies. The Troup legislature decided to discipline Clayton for his decision declaring the gold act of 1830 unconstitutional. Charles Dougherty of Clark was nominated for Judge of the Western Circuit of the Superior Court in his stead. On the following day, Clayton was notified that he was the party nominee for the vacancy in Congress caused by the resignation of Lumpkin.¹⁰⁶ In the Northern Circuit, Charles E. Haynes threatened to oppose William H. Crawford, Judge since the creation of the district in 1827 and rapidly approaching senility. Haynes was promised a nomination for Congress if he would not oppose Crawford.¹⁰⁷

The manner in which Haynes was given a nomination that proved worthless revealed the legislative caucus at its worst. The caucus placed his name among the first eight on the ticket, John M. Berrien also among them. James M. Wayne and Henry Branham of Putnam were added to fill any vacancies that might occur.¹⁰⁸ Berrien, only recently returned from Washington after his break with Jackson, could hardly risk his political career in a campaign that must surely have become a test of Jackson's popularity in the state. Berrien declined the nomination, and Georgia was given nine representatives by the reapportionment following the census of 1830. Mirabeau Bounaparte Lamar, editor of the *Columbus Enquirer*, was a tenth Troup candidate without caucus blessings, though his name was carried by the *Georgia Messenger*.¹⁰⁹ The result was that Troup votes were distributed among the three weakest candidates, Haynes, Branham, and Lamar, in such fashion that neither was among the successful nine. The seven Troup candidates elected in 1832 on the general ticket system were James M. Wayne, Richard H. Wilde, George R. Gilmer, Augustin S. Clayton, Thomas F. Foster, Roger L. Gamble, and Seaborn

¹⁰⁵ *Georgia Messenger*, October 22, 1831; U. B. Phillips, *Georgia and State Rights*, pp. 125-127.

¹⁰⁶ S. F. Miller, *op. cit.*, I, 146, 187; *Federal Union*, November 17, 1831.

¹⁰⁷ *Daily Macon Telegraph*, November 22, 1831; Warren Grice, *The Georgia Bench and Bar*, p. 166.

¹⁰⁸ *Georgia Messenger*, December 31, 1831.

¹⁰⁹ *Ibid.*, June 21, 1832; Edward Mayes, *Lucius Q. C. Lamar, His Life, Times and Speeches*, p. 16.

Jones.¹¹⁰ William Schley and John Coffee were the Union nominees who received more votes than either Haynes, Branham, or Lamar.

Governor Lumpkin had little difficulty in making executive appointments. Tomlinson Fort, owner of the *Federal Union*, succeeded James Camak in the key position of President of the Central Bank. Other appointments removed the Cherokee guard, the state penitentiary, and the administrative offices from the control of the Troup leaders who had exercised the highest authority in the state for six years.¹¹¹

The contributions of the Troup party to the Whig party in Georgia were of fundamental importance. During the years 1825-1831 several leaders became associated in the public mind with each other and with the older and more basic loyalty to the shibboleth of a family name. Those men of the old Troup party who continued to play important roles in Georgia politics were William H. Crawford, George R. Gilmer, John Forsyth, John M. Berrien, Augustin S. Clayton, Richard H. Wilde, and William H. Torrance. These and lesser leaders were active in initiating two remarkable developments in Georgia politics during the era described in this chapter. One of these came out of the general system of electing members to the Federal House of Representatives which had the practical effect of placing representation on the basis of the total number of votes that could be marshalled in the state by the rival political parties. The other development was the centralization of political power in the legislative caucus. This institution was not born of any plot to deny voters the opportunity of nominating candidates for public office. It was simply the accepted method of reaching an agreement among political leaders as to who should enjoy the immediate spoils of the political game. It gave way to the state convention during the thirties not because of any inherently corrupt nature but because it did not exercise the disciplinary power necessary to maintain party solidarity among men of an extreme individualistic stamp. Had the leaders of the Troup era seized more resolutely the reins of power which the caucus placed in their hands, they might have avoided the aberration of the thirties from their fundamenal twin beliefs that men were the warp and woof of politics and that intelligence in public leadership must furnish the pattern of the whole fabric.

¹¹⁰ *Georgia Messenger*, October 18, 1832.

¹¹¹ *Daily Macon Telegraph*, November 22, 1831; *Federal Union*, January 5, 1832; *Georgia Messenger*, January 7, 1832.

CHAPTER III

FROM MEN TO MEASURES: REORGANIZATION OF THE TROUP PARTY, 1828-1833

The formal acts and resolutions of the legislature of 1831 brought out clearly the attitude of the Troup party on the problem of Federal relations. Possession of the Cherokee lands under the lead of President Jackson and Governors Gilmer and Lumpkin was a local question on which party differences could spring up only on method or expediency. Removal of the Cherokees brought into play wider issues of Georgia's attitude toward the Federal government and resulted in the readjustment of party alignment in the state. This new alignment, with little change, became the basis for the party division in the tariff fight of 1832 and resulted in a complete reorganization of the Troup party in 1833.

The overlapping of gubernatorial with legislative terms in Georgia gave Governor Gilmer in 1831 an opportunity to test his party's loyalty to his leadership on the issue of the removal of the Cherokees. In his message to the legislature he recommended that Indians not be removed until title to their lands should be legally extinguished but that removal continue under the terms of the legislation of 1830.¹ Wilson Lumpkin, when he became governor, made no recommendation concerning removal until requested by the legislature. His message then pointed out that the laws and jurisdiction of Georgia had already been extended over the Cherokee lands. The next duty of the legislature was "forthwith to interpose and save that part of our State from confusion, anarchy, and perhaps from bloodshed." In order that the life and property of the Indians might be protected, he recommended that individual holdings be immediately defined by a competent survey, pending removal by extinguishment of titles under a treaty between the Indians and the Federal government.²

The difference between the recommendations of Gilmer and Lumpkin illustrates the degree to which the Indian land problem was after 1830 a question of Federal relations. Gilmer wished to postpone survey until Indian titles should be extinguished by agreement between the Indians and the United States government. Lumpkin wished immediately to survey the country, set aside the Indian holdings, and open up the remaining lots for occupancy. The Troup legislature refused to follow the leadership of the discredited Gilmer but enacted into law substantially the recommendations of Lumpkin. The lower house passed a bill providing for immediate survey and occupancy of all Cherokee lands, thus leaving the Indians and the Federal government to settle the question

¹ *Senate Journal* (1831), pp. 14-15; *Georgia Messenger*, November 12, 1831.

² Wilson Lumpkin, *op. cit.*, I, 95-102, 129, 130, 140.

of remuneration and removal as best they might.³ Wiser and more humane counsels, however, prevailed in the senate, and the final bill provided for survey of all lands, beginning April 1, 1832, protection of Indian holdings and improvements, and immediate distribution and occupancy of lots.⁴ The gold lands were to be laid out in lots of forty acres each and distributed by a special "gold lottery" containing less than two blanks to each prize.⁵ Journalistic apologists made no effort to explain the Troup desertion of the party standard-bearer, but the Union papers attacked Gilmer bitterly and characterized his final message as distinguished for "vulgarity, petulance, slander and misrepresentation."⁶ During 1832 confusion in the Cherokee territory was increased by the clash of whites and Indians over possession of desirable lots. The legislature of 1832 enacted laws which provided for a military guard for the mining region and forbade white men to reside on land occupied by Indians.⁷

In his first regular message to the legislature of 1831, Lumpkin referred to a citation that he appear in the Supreme Court to represent Georgia in the Worcester case. He assured the legislature that he regarded such a citation as an attempted "usurpation of a power never granted by the states" and dangerous to the continued existence of the Union.⁸ Resolutions of support for the governor's defiant stand against the Supreme Court were passed in both houses.⁹ The state senate, however, by unanimous resolution disclaimed any connection with South Carolina nullification, and the lower house joined in affirming loyalty to President Jackson and support for his re-election to the presidency.¹⁰ President Jackson made no effort to deny the claims of Georgia in the Cherokee country and in 1835 appointed a commission to treat with the Cherokees. A treaty providing for payment of over \$12,000,000 to the Cherokees was drawn up and ratified in the United States Senate by a strict party vote, Calhoun, Clay, and Webster leading the opposition.¹¹

Under the able leadership of Lumpkin and the beneficent policy of Jackson, the removal of the Indians proceeded in spite of the continued agitation of the question of Federal relations in Georgia politics. There arose immediately, however, another issue involving the question of Fed-

³ *Daily Macon Telegraph*, December 14, 1831.

⁴ *Acts of the General Assembly* (1831), pp. 141-142; *Daily Macon Telegraph*, December 31, 1831.

⁵ *Acts of the General Assembly* (1831), pp. 164-167; *Macon Advertiser*, January 6, 1832.

⁶ *Daily Macon Telegraph*, November 22, 1831.

⁷ *Acts of the General Assembly* (1832), pp. 102-105; *Georgia Telegraph*, January 2, 1833; Fletcher Melvin Green, "Georgia's Forgotten Industry: Gold Mining," *Georgia Historical Quarterly*, XIX (1935), 93-111, 210-228, gives several incidents of mass violence and bloodshed.

⁸ *Senate Journal* (1831), pp. 114-115; H. V. Ames, *op. cit.*, pp. 129-130; S. F. Miller, *op. cit.*, I, 142-144.

⁹ *Acts of the General Assembly* (1831), pp. 259-261.

¹⁰ *Ibid.*, pp. 254-255; *Daily Macon Telegraph*, November 30, 1831.

¹¹ T. H. Benton, *op. cit.*, I, 624-626.

eral relations. The Troup legislature of 1831 passed an anti-tariff resolution of stronger protest than the Daniel substitute of 1830. It declared that the tariff of 1828 was unconstitutional, since it levied a protective duty, a power that had never been granted to Congress and would never be granted by the people of Georgia. In such case, the extreme state rights group of the Troup party claimed for the state the right "to judge of and act upon the mode as well as the manner of redress."¹² Such an act would have been by the most liberal definition nothing less than nullification. The whole burden of the discussion from the standpoint of Troup leaders revolved around the hair-splitting logic that since they had never attempted such an act, were on the best terms of friendship with two of the three branches of the Federal government, and hated South Carolina nullification, they were not nullifiers. In this logic, Lumpkin substantially agreed, even after he had assumed the leadership of the Union party.¹³

Two events in the first half of the year 1832 served to weaken the force of this logic in Georgia political circles. The first of these was Chief Justice John Marshall's decision in the Worcester case in which he declared:

The Cherokee nation, then, is a distinct community, occupying its own territory, with boundaries accurately described, in which the laws of Georgia have no force, and which the citizens of Georgia have no right to enter, but with the assent of the Cherokees themselves, or in conformity with treaties, and with the acts of Congress. The whole intercourse between the United States and this nation is by our constitution and laws, vested in the government of the United States.¹⁴

The entire decision, occupying eight and one-half newspaper columns, was published in Georgia papers, as was also the dissenting opinion of Justice Henry Baldwin. There followed immediately a flood of criticism of Marshall in both Troup and Union circles which greatly increased the public fear of Federal usurpation of powers reserved to the states. Before this heated discussion subsided, another debate more suited to academic research than to publication in newspapers swept into Georgia from Virginia. On March 13, 1832, the *Richmond Enquirer* published a letter from Thomas Jefferson's grandson, Thomas Jefferson Randolph, explaining that a copy of the Kentucky Resolutions of 1798 had been found in Jefferson's handwriting. This supposed original was presented to show that Jefferson's first draft sanctioned nullification and the positive action of a state to prevent the exercise of unconstitutional authority within its own borders.¹⁵ Whatever might be the facts, the story presented by the

¹² *Acts of the General Assembly* (1831), p. 312; see also *Georgia Messenger*, December 10, 1831.

¹³ *Senate Journal* (1832), pp. 26-27; Wilson Lumpkin, *op. cit.*, I, 125.

¹⁴ *Federal Union*, March 29, 1832; see also *ibid.*, April 19, 1832.

¹⁵ *The Examiner and Journal of Political Economy*, I (1833), 49-52, quoting the *Richmond Enquirer*, March 13, 1832.

Enquirer was generally accepted. This version of the famous resolutions was published in South Carolina and Georgia newspapers, and the name of the immortal Jefferson was used to strengthen the cause of nullification.¹⁶

In this crisis, Georgia was saved from nullification by President Jackson's favorable attitude in the removal of the Cherokees and the support given to the Federal government by Union newspapers. The Union press supported the opinion that refusal to obey "an extra-judicial act of the Supreme Court" was far different from nullification of an act of Congress.¹⁷ Although the Troup leaders bitterly attacked the tariff, they declared South Carolina nullification an inefficient remedy, and some advocated that Georgia take the lead in calling a convention of Southern states. An anti-tariff meeting at Athens, August 1, 1832, set up a central committee to provide for election of delegates to a state convention which could invest delegates with authority to represent Georgia in a Southern convention.¹⁸ A substitute providing for the immediate calling of a Southern convention was voted down.¹⁹ Troup leaders were more interested in using the tariff issue to fan Georgia opinion to white heat than in starting a movement that would cut themselves off from participation in national politics. Opposition to acts of Congress was one thing, but the attempted nullification of the law of the land was another of a very different character in Georgia politics. The action of the Athens caucus made it possible for the Troup party to enjoy the popularity of the one and to escape the odium of the other.

Local leaders of the party, however, were confused by this equivocal attitude, and Berrien attempted to clarify the party's stand on Federal relations. In a public letter, dated October 4, 1832, he asserted that any system of Federal taxation beyond revenue needs was unconstitutional. Against such taxation he offered four possible means of redress: remonstrances by the people and constituted authorities of the states; nullification; a Southern convention; or a state convention of delegates empowered to determine the mode of redress. The first was characterized as useless and outworn; nullification, "if such a power could be deduced from the Constitution of the United States or could be considered as fairly incident to State Sovereignty," was impracticable and likely to precipitate serious results; a Southern convention, representative of the sovereignty of states, would be unconstitutional, while any other sort of convention would be useless. The best measure to be taken was a state convention empowered to hold correspondence and exchange views with other states to determine the mode of redress.²⁰ Thus did the politician advance his pet scheme of

¹⁶ "Was Mr. Jefferson a Nullifier," *Macon Telegraph*, April 28, 1832, quoting Sumterville, South Carolina, *Southern Whig*.

¹⁷ *Federal Union*, April 26, 1832.

¹⁸ *Georgia Messenger*, June 21, July 26, August 18, 1832.

¹⁹ *Daily Macon Telegraph*, August 7, 1832.

²⁰ *Georgia Messenger*, October 4, 1832.

building a state machine for participation in national politics. A more clearcut statement of Troup party views concerning Federal relations was made by Governor Lumpkin, who was still cooperating with the Troup legislature in regard to the Indian difficulty with the Federal government. He said:

Upon several occasions we have been compelled to throw ourselves upon our reserved rights, and resist Federal encroachments; but we have never veiled ourselves in the flimsy garment of peaceable constitutional nullification. In these delicate and highly responsible acts, Georgia has always relied on her own population, the justice of her cause, and the virtue and intelligence of the people of the United States to sustain her unquestionable constitutional rights.²¹

As the fall elections approached, party agitation veered somewhat from the question of nullification to that of the merits of the tariff bill of 1832. The Union press insisted that the measure was the best that could have been devised under the circumstances and infinitely to be desired over that of 1828, which had certainly not produced the dire calamities prophesied for it.²² Parallel tables were published showing a great reduction in the price of such essentials as Negro clothing, cotton bagging, bar iron, brown sugar, coffee, and tea.²³ The vigorous leadership of the Union party and the growing hostility of the Troup party to South Carolina nullification brought better feeling toward the tariff. The anti-tariff convention, called by the Athens meeting of August, met in Milledgeville, November 15, 1832. Sixty-four of the eighty-nine counties of the state were represented though nearly half of the delegates avowed the purpose of blocking extreme action.²⁴ Seventeen resolutions were drafted by Berrien and adopted by the convention. The first six resolutions, based on the political ideas of the Virginia and Kentucky Resolutions, described the Federal government as a confederacy with its powers limited and defined by the Constitution. Since the Federal government was limited, it could not be the judge of infractions of its own instructions. The sovereign states had merely relinquished part of their powers to the Federal government, and, in the absence of any common judge, were individually the judges of last resort. The seventh resolution declared the tariff law of July, 1832, unconstitutional, and the remaining resolutions dealt with the application of the principles stated to this particular case. Here Berrien faltered and, evidently to maintain party lines and to appeal to a wide sector of public opinion, recommended the very Southern convention which he had six weeks earlier declared unconsti-

²¹ *Senate Journal* (1832), p. 27; see also Wilson Lumpkin, *op. cit.*, I, 125; U. B. Phillips, *Georgia and State Rights*, pp. 118-124.

²² *Federal Union*, July 26, 1832.

²³ *Macon Telegraph*, August 29, 1832.

²⁴ *Federal Union*, November 15, 1832; *Macon Telegraph*, September 12, 1832.

tutional.²⁵ William Harper, Chancellor of South Carolina, was present at the meeting, and the Unionists charged that he pledged South Carolina to suspend action until a Southern convention could be called.²⁶

Berrien's plan for a state convention was not acceptable to the Troup majority in the legislature of 1832. Representing opinion in the state at large more accurately than the members of the anti-tariff convention, these men were opposed to any immediate action of protest. The legislature condemned the action of the anti-tariff convention and the proposed election of delegates and declared that it was the duty of the members of the legislature to recommend a better policy. Both houses passed resolutions which declared that if a Southern convention was desirable Georgia should invite the other Southern states to consider the tariff and recommend suitable measures to the Federal government. Other resolutions declared nullification neither a peaceful nor a constitutional remedy, but one "tending to civil commotion and disunion," and specifically warned citizens of Georgia against the example of South Carolina.²⁷ In the face of this adverse action, the central committee appointed by the anti-tariff convention issued a statement which directed that an election be held the first Monday in January to ratify the resolutions of the Milledgeville convention and to choose delegates to the proposed Southern convention.²⁸ The statement of the central committee made no reference to nullification or nullifiers. Berrien, however, issued another public letter, attempting to placate the extremes of unionism and nullification that the anti-tariff fight had drawn together. He expressed gratification that the anti-tariff movement was supported "by many patriotic and intelligent members" of the Union party; among the nullifiers, he also stated, were "men as pure, as patriotic and as intelligent as those who differed from them."²⁹ A letter from George M. Troup was also published by the official Troup organ. Troup declared that a Southern convention was not satisfactory but that the Southern states should demand a general constitutional convention. Failing in that, the only constitutional remedy for unconstitutional laws was the ballot box. He pointed out further that after negotiation and constitutional action were exhausted, there remained as final alternatives only war and revolution for redress of grievances.³⁰

In 1833 the politicians of Georgia were divided into two camps on the issue of Federal relations. The adoption by the Clark party of the shibboleth "Union" and the agitation of the tariff question by the Troup

²⁵ *Georgia Telegraph*, November 21, 1832; *Georgia Messenger*, November 22, December 13, 1832; S. F. Miller, *op. cit.*, II, 32-39; U. B. Phillips, *Georgia and State Rights*, pp. 128-131.

²⁶ *The Federal Union*, November 15, December 20, 1832.

²⁷ *Acts of the General Assembly* (1832), pp. 245-248; H. V. Ames, *op. cit.*, pp. 179-180; *The Examiner and Journal of Political Economy*, I (1833), 110; *Federal Union*, December 20, 1832; *Georgia Messenger*, December 6, 1832.

²⁸ *Georgia Messenger*, December 20, 1832.

²⁹ *Ibid.*, December 27, 1832.

³⁰ *Ibid.*, February 7, 1833.

leaders shocked Georgia out of its usual absorption in local political issues and loyalty to personal leaders. Neither party was satisfied with the equivocation and evasion practiced by Troup leaders in the legislature and in the anti-tariff convention. The Unionists derided the entire work of the convention and regarded its attempt to drag Georgia into a Southern convention as a usurpation of power and an attempt to coerce the state into an unconstitutional act.³¹ The Troup leaders were never solidly in accord on the convention as the proper "means of redress," some even for a time lamented the desertion of South Carolina; and none undertook to hold the projected election of delegates.³²

President Jackson's reaction to South Carolina nullification gave the Troup leaders an opportunity to test public sentiment on Federal relations as a political issue. When in his annual message to Congress, Jackson made clear his determination to enforce the law in South Carolina, little surprise and less concern was expressed in Georgia.³³ On December 10, 1832, he issued the famous proclamation to the people of South Carolina reminding them of their obligation to the Union and warning them against false leadership.³⁴ There were immediate and violent reactions from both parties in Georgia. To the Unionists the proclamation was the noblest document since Washington's Farewell Address.³⁵ Troup writers could find no such concise comparison to express their sentiments. Said one:

In our columns today will be found a portion of

A PROCLAMATION

by President Jackson to the people of the state of South Carolina, 'done' at the Royal City of Washington, in the fourth year of his reign, and the 57th and probably the last year of American independence.³⁶

In the state senate a motion to print four hundred copies of the Proclamation at state expense was lost, and no member of the lower house would move to consider such a resolution. Criticism of the deed quickly developed into hatred for the doer; and Troup leaders who had enthusiastically supported Andrew Jackson in two presidential campaigns now roundly denounced him as a traitor to the true Jeffersonian doctrines of state rights and state resistance.³⁷

The passage of the compromise tariff bill improved somewhat the feeling of the Troup party toward the Federal government, but brought no truce in the state political battle. The Unionists first denounced Clay

³¹ *Federal Union*, December 13, 20, 1832.

³² *Georgia Messenger*, November 29, 1832, January 3, 10, 24, 1833.

³³ *Ibid.*, December 13, 1832.

³⁴ T. H. Benton, *op. cit.*, I, 299-308.

³⁵ *Federal Union*, January 3, 1832.

³⁶ *Georgia Messenger*, December 20, 1832.

³⁷ *Ibid.*, December 27, 1832, January 3, 1833.

for his surrender to Calhoun and nullification and later declared that Clay and Calhoun were trying to steal from Old Hickory the credit for settling the tariff dispute.³⁸ In Troup circles Clay was lauded as the saviour of the Union. Feeling toward Jackson improved, especially after he expressed in his second inaugural address increased solicitude for "the preservation of the rights of the States, and the integrity of the Union." Troup fury over the outraged rights of the states was vented in full measure on John Forsyth, Senator from Georgia and soon to be elevated to the position of Secretary of State. Forsyth stood with Martin Van Buren and the other "collar men" for the Force Bill and against the compromise tariff. He was burned in effigy, his resignation was demanded, and at least one Troup editor gleefully published John Randolph's opinion of Forsyth: "He is highly talented and utterly corrupt, and shines and stinks like a red herring by moonlight."³⁹ When these lines were published in Georgia the tariff discussion had reached a final low point, and party leaders were beginning anew the struggle for reapportionment of representation in the state government.

From the election of George M. Troup in 1825 to the second election of Wilson Lumpkin in 1833 the Troup party followed no set pattern of policies. It was dragged from personalism into internal improvements, suffered a diversion on the tariff of 1828, drifted into the Central Bank issue of 1829, blundered through the Cherokee crisis, and sidestepped through a maze of irregular patterns in the nullification scare of 1830-1832. During these years certain minor issues of local and state significance gave form and character to the Troup forerunner of the Whig party in Georgia. The most important of these were internal improvements, public education, the state penitentiary, and constitutional reform. Troup legislation on internal improvements never reached the high standard of state planning set forth in the report of the Board of Public Works in 1826. The main objective was to improve navigation on the Savannah and Ocmulgee rivers and thus prevent the trade of the up-country from going through Augusta to Charleston or down the Chattahoochee to Mobile and New Orleans. In this cause Troup leaders usually received cooperation from Unionists living in the vicinity of Macon and Savannah and opposition from the representatives of counties in the western and northern sections of the state.⁴⁰ Hired hands and state-owned slaves were engaged in clearing these rivers of obstructions to navigation during the low water stages. During flood stages of the rivers the hands were transferred to the building of roads leading into Macon, Savannah, Augusta, and Columbus from adjacent farming areas. In January, 1829, the city of Macon celebrated the arrival of the first steamboat, the *North Carolina*, eight days

³⁸ *Federal Union*, March 7, 14, 1833.

³⁹ *Georgia Messenger*, April 11, 1833; see also *ibid.*, February 28, March 7, 14, 21, 28, 1833.

⁴⁰ *Macon Telegraph*, November 28, 1829.

from Darien. In less than a year the territory surrounding Macon had become so dependent on river traffic that a continued low stage of the river came near to precipitating a salt famine.⁴¹

Under Gilmer's leadership, 1829-1831, Troup party efforts at internal improvement were likewise directed toward the improvement of river navigation and the building of highways to market centers. In 1829 the legislature appropriated \$50,000 with which the governor purchased slaves, mules, oxen, and tools. Competent superintendents were hired to assure the state a return on this investment. The following year Gilmer reported that about two hundred miles of improved highways leading to the market centers of Augusta, Savannah, Milledgeville, Macon, and Columbus had been built. He recommended a separate crew of hands for work on the rivers alone, higher pay for superintendents, and an increased effort to improve rivers as a means of transporting cotton, which he regarded as the only crop worthy of encouragement for export. He asked for legislation which would allow the commutation of the fifteen days of road-work required of individuals into a tax, unless the revenue from the state gold mines should be sufficient to dispense with taxation and work alike.⁴² The legislature could see no need for such expenditure of funds, since the fifteen days of labor on the roads could be done in the slack season of farm work. In 1831 Gilmer recommended that improvement of navigation on the headwaters of the Savannah and Chattahoochee rivers follow the new settlements.⁴³ The Troup legislature, however, paid slight attention to improvement of river navigation above the fall line and passed several bills for the improvement of local highways.⁴⁴ This legislature also granted a charter for the building of a railroad from Augusta to Eatonton, and thence to the Chattahoochee River.⁴⁵

The Troup party was less rational in its stand on public education than it was in its attitude towards internal improvements. On education, as on internal improvements, Governor Troup possessed ideals of public service far in advance of his party. He held that the state should give its citizens, rich and poor, educational advantages "which will qualify them equally for all occupations, civil and military, to which the state may call them."⁴⁶ The educational system of the state then consisted of Franklin College, the endowed academies, and the poor schools. Of these three, only the last was in any sense free. They were open to the children of families unable to pay the fees incident to attendance at the "old-field" schools. The poor schools were inadequately and irregularly supported

⁴¹ *Macon Telegraph*, January 17, 1829, January 16, 1830.

⁴² *Senate Journal* (1830), pp. 24-27; *Macon Georgia Telegraph*, October 23, 1830.

⁴³ *Senate Journal* (1830), p. 200; *Georgia Messenger*, November 12, 1831.

⁴⁴ *Acts of the General Assembly* (1831), pp. 201-219; *Macon Telegraph*, December 31, 1831.

⁴⁵ *Acts of the General Assembly* (1831), pp. 186-198.

⁴⁶ E. J. Harden, *op. cit.*, pp. 225, 471; see also *Macon Telegraph*, November 20, 1827.

and, by the most optimistic view, fell far short of Troup's ideal. Nevertheless, the Troup party defended this system and refused to spend the state's money in what one of its leaders characterized as the "worse than useless pretense of free education."⁴⁷ The poor school funds were paid over to county authorities without provision for wisdom, efficiency, or even honesty in their expenditure. Against this practice the pleadings of Troup and the blunt indictment of Gilmer were alike futile.⁴⁸

Franklin College received slightly better treatment at the hands of the Troup party. Careful research has since demonstrated the essential truth of the oft reiterated charge of the Clarkites that the state college was maintained at public expense for the benefit of the wealthy families.⁴⁹ The latter were mainly Troup in politics and could afford to pay privately for preparing their sons for college. Augustin S. Clayton and George R. Gilmer, the most active Troup leaders in the administration of the college, defended the expenditure of state funds for the benefit of Franklin College on the ground that educated and wealthy young men should be encouraged to keep both their money and their talents within the boundaries of the state.⁵⁰ Even here the Troup insistence on careful husbanding of state funds overruled the long-range social and economic benefits likely to accrue to the state from higher education. Financial support for Franklin College was always meagre. An annuity of \$6,000 was granted in 1830 by virtue of a political trade. The Union majority in the senate consented to the appropriation on the condition that the board of trustees be doubled by the addition of an equal number of Clark men and that provision be made for the education of one poor boy from each county.⁵¹ No appropriation was made for the latter phase of the act, and that part of the bill was repealed when the Troup party regained control of the legislature in 1831.⁵²

The charge of the Clark party that the Troup leaders used the board of trustees of Franklin College as a sort of standing party caucus was the natural outgrowth of the great amount of political activity centering around the college campus, greatly to the detriment of the academic program. In the spring of 1832, the year in which Alexander Hamilton Stephens was graduated from the college, twelve students were expelled for excessive enthusiasm in political polemics.⁵³ The following spring the students of the college held mass-meetings and passed anti-tariff reso-

⁴⁷ *Southern Recorder*, December 15, 1837.

⁴⁸ *Senate Journal* (1831), p. 21; *Georgia Messenger*, November 12, 1831; *Macon Advertiser*, November 8, 1831; E. J. Harden, *op. cit.*, pp. 225, 471.

⁴⁹ E. M. Coulter, *College Life*, pp. 221, 224.

⁵⁰ *Senate Journal* (1830), p. 30.

⁵¹ *Acts of the General Assembly* (1830), pp. 4-6; *Macon Georgia Telegraph*, October 30, December 31, 1830; E. M. Coulter, *College Life*, pp. 231, 244; U. B. Phillips, *Georgia and States Rights*, p. 125.

⁵² *Acts of the General Assembly* (1831), pp. 6-7.

⁵³ *Macon Telegraph*, April 14, 1832.

lutions after the manner of their elders and, according to the report, improved notably on the spirit and vigor of the horse-play and physical clashes. The whole affair was given a thorough airing in the political press of both parties.⁵⁴ All these things were quite proper if the Troup leaders were correct in their fundamental assumption that the function of a state college was to train for public service those young men endowed with high qualities of leadership. Burnings in effigy, broken heads, newspaper controversy, and caucus arrangements played a more important part in the life of a Georgia politician than did the oratory of Cicero or the philosophy of Aristotle. The outstanding leaders of the Whig party, it might be noted, were Robert Toombs and Alexander H. Stephens, two men whose lives as college students in Athens followed these widely divergent pathways.

Troup leaders defended the penitentiary as the best method for punishment of criminals. Chief arguments used were that it set the criminal element of society apart, gave crime its due punishment, and prevented a repetition of crime. The best method of administration, according to the Troup view, was a combination of productive labor under close supervision during daylight hours and solitary confinement at night. The ideal of the former was to make the institution pay at least for the keep of the prisoners, and the object of the latter was to prevent the spread of evil among the inmates.⁵⁵ Here again the ideals of Troup leaders were applauded by Troup followers, but little was done in the annual session of the legislature to furnish necessary equipment and trained personnel or even adequate buildings. All administrative positions in the penitentiary were filled by gubernatorial appointment and were treated by both parties as political sinecures. After Wilson Lumpkin was elected governor in an election in which the penitentiary figured as an issue, the Troup legislature of 1831 disregarded Gilmer's repeated plea for improvement of the penitentiary and abolished the institution outright.⁵⁶ The act which abolished the penitentiary provided for a return to the code of 1816, under which lashing was the approved method of punishment. This arrangement proved extremely unsatisfactory, especially since counties were forced to keep their criminals in local jails. Meanwhile, Governor Lumpkin instituted aggressive and effective reforms in caring for those prisoners whose terms of service included the year 1832. These reforms included the cleaning and improvement of buildings and the prevention of escapes. Income from the sale of products of convict labor paid for current expenses and the replacement of buildings destroyed by fire.⁵⁷ This kind

⁵⁴ *Federal Union*, February 14, March 7, 1833; *Georgia Messenger*, February 21, 1833.

⁵⁵ *Senate Journal* (1831), pp. 16-17; *Macon Telegraph*, November 20, 1827, November 7, 1829; E. J. Harden, *op. cit.*, p. 228.

⁵⁶ *Acts of the General Assembly* (1831), pp. 169-171; *Georgia Messenger*, November 12, 1831; *Daily Macon Telegraph*, December 31, 1831.

⁵⁷ *Senate Journal* (1832), pp. 14-15; Wilson Lumpkin, *op. cit.*, I, 108-109.

of management, even by a governor elected by Union votes, was highly satisfactory to Troup legislators who smarted under the general dissatisfaction with the return to the system of lashing and imprisonment in county jails. They responded to Lumpkin's offer to make the penitentiary pay its own expenses by re-establishing the institution and appropriating \$35,000 for upkeep, repair, and the payment of debts incurred during Gilmer's administration.⁵⁸ Lumpkin made good his promise and in 1833 again recommended that the penitentiary support itself since the "honest part of the society feel a repugnance at the idea of laboring to support convicts."⁵⁹

The issue of state politics which resulted in the sharpest division of parties during this period was reform of the constitution. The Troup party neither defended nor attacked the state constitution of 1798 as such. In general, the Troup leaders concentrated their efforts on controlling or directing existing machinery of government for the benefit of the economic and social class they represented and did not expend much political energy in efforts to change the nature of the fundamental law of the state. The only important exception to this rule was in the matter of representation in the state legislature. In the senate each county, irrespective of size or population, had one member. Representation in the lower house was not in proportion to population, but was based on a system of classification for counties according "to their respective numbers of free-white persons, and including three-fifths of all the people of color." This was the "Federal Ratio," so called because it was the compromise arrangement for determining representation for the states in the Federal House of Representatives. Each county was assured at least one representative by the state constitution; counties having a "representative population" of at least 3,000 were granted two representatives; counties of 7,000 had three representatives; while counties of over 12,000 were given four members in the lower house of the state legislature.

The constitution of 1798 required that members of the state legislature should possess a certain amount of taxable property. Moreover, a legislator was required to keep his personal accounts paid up to a point at which his estate "shall, on a reasonable estimation, be fully competent to the discharge of his debts over and above that sum."⁶⁰ The Union party made strong efforts to remove these restrictions and in 1831 drove the Troup party to a statement of its position on this provision of the constitution. Irby Hudson of Putnam County advanced two reasons for his party's insistence on retaining the property qualifications for members of the state legislature. Men who did not pay their debts were not worthy representatives of their counties; and there was a danger that settlers

⁵⁸ *Acts of the General Assembly* (1832), pp. 140-143; *Georgia Telegraph*, January 2, 1833.

⁵⁹ *Senate Journal* (1833), p. 14; see also Wilson Lumpkin, *op. cit.*, I, 136.

⁶⁰ Article I, Sections 1-7, Constitution of 1798, F. N. Thorpe, *op. cit.*, II, 791.

in a new county who accumulated nothing and had no interest in the welfare of the state might become members of the legislature. "Reduce it to \$5 if you choose. But, at least, require a man to be able to pay all his just debts, and to swear safely that he is worth something besides, before you make him a representative."⁶¹ This statement by Hudson in the state legislature merely expressed the Troup ideal that men of recognized integrity in business should hold the places of leadership in public life.

Party alignment on the issue of representation grew out of the method of amending the constitution. The constitution itself provided that amendments should be proposed and enacted by the legislature in the following manner:

A bill specifying the changes to be made, which received a two-thirds vote of both houses on three separate readings, was to be published six months before the next election of members of the legislature. If such bill received at the first session of the legislature a two-thirds vote of both houses upon three separate readings it was to become a part of the constitution.⁶²

The Federal Ratio was hardly worthy of the political agitation which centered around it in Georgia. Without regard for slave population, the ratio of representation to white population of counties varied from 1/600 to 1/2700. It was true, however, that the Federal Ratio gave an extra representative to some slave counties. But its practical statewide effect was to restore to the counties of large population the representation taken from them by their smaller ratio of representation to white population. This sort of practical logic was beyond the understanding of voters who could not "figger" in common fractions. Consequently, Troup defenders of the Federal Ratio were constantly charged with trying to have representation in the state based on property, though no responsible spokesman for the party ever took such a stand publicly. Since Troup party strength was concentrated in the large counties, Troupites were at a distinct disadvantage in the senate, where their largest county had no more voice than the smallest county in the state.⁶³ Hence it was difficult for Troup leaders to attain a majority in the senate, and it was outside of the range of their fondest hopes to get the two-thirds majority in the two consecutive years necessary to pass an amendment equalizing representation in that body.

⁶¹ *Federal Union*, January 19, 1832.

⁶² Fletcher Melvin Green, *Constitutional Development in the South Atlantic States*, p. 137; see also Article IV, Section 15, Constitution of 1798, F. N. Thorpe, *op. cit.*, II, 801.

⁶³ The counties having smallest population in 1830 were Glynn, white population of 597, representative population of 2,979, and Wayne, 676 and 848, respectively. The counties having largest population were Gwinnett, 10,938 and 11,282, and Monroe, 8,826 and 13,256.

Union leaders defended the system of county representation which gave a distinct advantage to south Georgia counties whose population fell far short of the average for the counties in the one-member class. On the other hand, they were not satisfied with the system in the lower house which granted nominal representation to Negro slaves. Though the net result of the Federal Ratio and the classification of counties for the whole state was roughly equivalent to proportionate representation for white population in counties of more than 3,000 population, some counties by the addition of three-fifths of their Negroes got one more representative than counties of corresponding white populations. During the decade of the twenties the counties so affected were twenty-seven in number and were scattered over the state without any regard for economic or geographic pattern, since the addition of a small handful of Negroes to the population count in a white county of large population would serve to boost its representation just as effectively as the addition of the large blocks of Negro population in the plantation counties. Party control of these counties, and not representation of property, was the political dynamite in the Federal Ratio as an issue in Georgia. It is notable that fifteen of the twenty-seven members of the lower house holding their seats by virtue of Negro population came from normally Troup counties, seven were from counties not to be safely counted by either party, while only five came from counties normally expected to give a majority vote to the Union party. With party strength so closely balanced, these twelve or fifteen votes could give a majority to the Troup party on joint ballot in spite of a Union majority in the senate. This was highly important politically since judges and militia officers were, at that time, elected by joint ballot.

Party reaction to this bizarre combination of geographic, racial, and political factors was significant. The Union party, certain that the traditional basis of county representation would not be deserted, insisted that the legislature, consisting of 77 senators and 159 representatives, was entirely too large and should be reduced for the sake of efficiency and economy.⁶⁴ The Troup party would not agree to such a scheme unless the whole system of representation could be revised in the direction of more equitable representation in the senate. Since neither party was able to muster the requisite two-thirds majority, a constitutional convention seemed to be the only alternative.

The Troup legislature of 1829 ordered that the ballots for the election of 1830 give the voters an opportunity to vote for "Reduction" or "No reduction" of the state legislature. In this act the Unionists professed to discern a ruse to stir sentiment for a convention "the secret object of which has been throughout, a consolidation of the strength of the Troup party, by organizing the small and thinly settled counties into *Senatorial*

⁶⁴ *Macon Telegraph*, December 22, 29, 1828.

Districts, so as to break down their influence in the political power of the state."⁶⁵ They insisted that nearly everyone in the state was in favor of reduction of the legislature, but that two-thirds of the voters were opposed to a convention and wished reduction to be accomplished by the regular procedure of constitutional amendment by the action of two successive legislatures.⁶⁶

When the representative population was determined on the basis of the census of 1830, it was found that the lower house was increased to 161.⁶⁷ In his message to the first legislature chosen on this basis, Governor Gilmer bluntly stated his party's position, which was really an ultimatum to those of both parties who hoped to gain political advantage under the guise of reducing the legislature. The governor first pointed out the obvious fact that under the existing system of representation one-third of the people of the state possessed political power equal to the other two-thirds. Then Gilmer described the geographic dilemma of his party in the following statement:

Most counties which have thus acquired an undue proportion of power, are in the same section of the state [south and west Georgia], which, from its climate and soil, must always be sparsely populated, so that the inequality of representation which exists at present, must continue to increase.⁶⁸

This statement removed the blind of "reduction" from the eyes of Georgia voters and revealed the question of representation as a bitter contest for party advantage. For the decade following Gilmer's forced retirement from the governor's chair in 1831, the leaders of his party were engaged in a frank fight to establish a consolidated government in the state and to maintain a loose, federated type of general government. This double struggle for somewhat contradictory objectives led them into devious paths and strange caucuses as compared to the grand old days of the twenties when politics was recognized in Georgia as a gentlemen's game along with duelling, cock fighting, and drinking.

More to the immediate point, however, is the fact that this fight brought a realignment of leadership and a complete reorganization of the Troup party. Following Troup's election to the United States Senate in 1828, active leadership of the party was assumed by William H. Crawford. After the failure of both his health and his political fortune at Washington, Crawford returned to Georgia and in 1827 was elected Judge of the Northern Circuit.⁶⁹ Crawford never regained the popularity that had been his a decade earlier, and in 1831 his slight hold on the party

⁶⁵ *Federal Union*, August 14, 1830; see also *Macon Telegraph*, July 31, 1830.

⁶⁶ *Macon Georgia Telegraph*, August 14, 1830.

⁶⁷ *Georgia Messenger*, March 19, 1831.

⁶⁸ *Senate Journal* (1831), pp. 18-19; see also *Macon Advertiser*, November 11, 1831.

⁶⁹ Warren Grice, *op. cit.*, p. 166.

was challenged by John M. Berrien, who likewise had retired from high office in Washington to rebuild his political fortune in his native state. Berrien was known as one who never allowed his interests to suffer in the interests of another, and in November, 1831, he made the first move in the process of turning the Troup party against Andrew Jackson and returning himself to the United States Senate. In a speech at Savannah, Berrien revealed some of the backstage intrigue in the cabinet smash-up the preceding summer and denounced Jackson for his attempt "to prescribe rules and to select associates for the families of his Cabinet."⁷⁰ Berrien later issued a public letter attacking the tyranny of Jackson so heartily that, according to one reporter, he neglected to write "with his usual caution" on controversial matters.

As Berrien was sending out these trial balloons to test Troup sentiment, Crawford was becoming more of a burden to the party than a leader. In the elections by the legislature of 1831, an aspirant for Crawford's office of judge had to be "caucused down" with a nomination to Congress. Another candidate developed such strength that pressure was brought on Troup members to hold them to their regular candidate.⁷¹ As a result of this unusual activity in the legislative caucus of 1831, the editors and candidates who were victims of caucus proscriptions expressed extreme dissatisfaction with the caucus system.⁷² After 1832 unless unusual conditions prevailed, gubernatorial and congressional candidates were chosen in state conventions meeting in the summer preceding the election.

In 1832 local leaders and state politicians of the Troup party had their fill of conventions and caucuses. Meetings were held to consider such issues as the reduction of the legislature and protective tariff; resolutions were drawn; and committees were appointed—all with doubtful results on the issues involved, but serving well the purpose of forming party lines and bringing leaders to the front in party activities. In March, 1832, a group of Troup men in Hancock County met and prepared an address to the citizens of the state in regard to calling a convention "to revise and amend such parts of the Constitution as prescribe the organization and functions of the General Assembly." The address emphasized the inefficiency of the legislature because of its unwieldly size and the inequality of representation. The address asserted with typical exaggeration that citizens of small south Georgia counties exercised ten times the political power of those in the more heavily populated counties of middle Georgia.⁷³

This meeting also appointed an executive committee headed by Governor Lumpkin, and made up in addition of Samuel Rockwell, Lucius

⁷⁰ S. F. Miller, *op. cit.*, I, 47-52, 102-104.

⁷¹ *Macon Telegraph*, January 14, 1832.

⁷² *Georgia Messenger*, January 7, 21, 1832; *Macon Advertiser*, January 25, 1832.

⁷³ *Macon Advertiser*, March 13, 1832.

Quintus Cincinnatus Lamar, the elder, and Oliver H. Prince. Rockwell was a Milledgeville lawyer and journalist, closely associated with the Troup party; Lamar, a former law partner of Joel Crawford, was elected Judge of the Ocmulgee Circuit by a Troup legislature; and Prince was a prominent capitalist of Macon who had recently purchased the *Georgia Journal* (Milledgeville) from James Camak.⁷⁴ The effect of the appointment of Governor Lumpkin was to bring into question his policy of wavering between the two parties. While other county meetings endorsed the Hancock action and pressed the appointment on Lumpkin, Unionists called attention to the purely partisan character of the movement and also pointed out that Lumpkin's appointment was a snare to drag him back into the Troup party. Immediately upon receiving notification of his appointment, Governor Lumpkin replied:

If the prominent place assigned me by the citizens composing these several committees, were deemed compatible with the official relations which I bear to the people, I should nevertheless be under the necessity of declining the honor proposed, while unceasing official duties, of deep interest to the people, occupy my entire time and consideration.⁷⁵

The Troup leaders continued their discussions and called a meeting at Milledgeville, May 7, to make preparations for a convention. Union party leaders urged the small counties to send delegates to this meeting, "in order that they may be fully and fairly represented, should a convention be held." Not a single representative was present, however, from a county having only one representative, though the counties represented contained over half the Federal population of the state.⁷⁶ Of the twenty-six counties represented, sixteen were in the three-member class which contained twenty-five counties in all. Gwinnett and Monroe, the two counties having four representatives, were represented, and eight counties of the thirty having two representatives sent local leaders to the meeting. A central committee of ten Milledgeville lawyers, headed by ex-Governor David Byrdie Mitchell, was invited to sit with the delegates from the counties.

This meeting was nothing less and not much more than a caucus of the Troup party. The only man in the meeting of any importance in the Union party was John Basil Lamar of Bibb County. Had Lamar not been under the influence of close family and business association with Howell Cobb his economic and social rank as a member of the wealthy and prominent Lamar family would probably have carried him into the

⁷⁴ *Federal Union*, January 12, 1832; Edward Mayes, *op. cit.*, pp. 17-19.

⁷⁵ Governor Lumpkin to P. C. Guin, Milledgeville, March 26, 1832, *Macon Telegraph*, April 14, 1832; see also *Federal Union*, March 29, April 5, 1832; *Southern Recorder*, May 10, 1832.

⁷⁶ *Federal Union*, May 3, 1832; F. M. Green, *Constitutional Development*, pp. 208-209.

Troup party.⁷⁷ All the members of the central committee were Troupites, and most of the Troup leaders of state-wide importance were present, among them Charles Dougherty, William Crosby Dawson, Hines Holt, Junior and Senior, James Thomas, Elias Beall, and Eugenius Aristides Nisbet. The principal address was delivered by Samuel Rockwell and published in Troup papers. It emphasized the great disparity between counties in representative population and in payment of taxes. According to Rockwell, the representative population of Chatham was 11,800, while that of Wayne was 818. The address pointed out other contrasts and presented figures to show that several counties in south Georgia paid only from one-nineteenth to one-eighth as much in taxes as their representatives in the legislature received from the state government. The meeting also adopted a resolution which called for an extra-legal election on the first Monday in November for delegates to a convention to be held in February.⁷⁸ The central committee, soon after the meeting, issued a statement fervently denying anything of partisanship in the reduction movement. The statement declared the objective of the movement was to remove three great evils in the existing system of representation: great expense of government; unequal distribution of power in the senate; and inequality of taxation in proportion to representation.⁷⁹

Response to the call for a constitutional convention was notably weak. Meetings were held in only a handful of counties; the *Southern Recorder*, recognized leader of Troup newspapers, was actually cold in its attitude and never published the statement of the central committee. Soon the whole matter was dropped as the campaign for election of members of Congress got under way.⁸⁰ The Union party offered through the columns of the *Federal Union* a full slate of candidates, and reduction of the legislature and the proposed reduction convention were forgotten.⁸¹

Leaders of the Troup party plunged immediately into the anti-tariff agitation as a means of revitalizing their party. At the Franklin College commencement of 1832, the old line or Crawford faction of the Troup party called a public meeting of "friends of President Jackson" and those opposed to nullification as the proper mode of redress for the tariff, to be held at four o'clock in the afternoon, August 1, in the New Chapel. Shortly thereafter, the anti-Jackson faction under the lead of John M. Berrien posted the following notice:

Public meeting—All persons whatever, who feel interested in the subject without regard to any party or present opinions, are requested to attend at the New Chapel, tomorrow, August 1st, at four o'clock P.M. to

⁷⁷ Wirt Armistead Cate, *Lucius Q. C. Lamar, Secession and Reunion*, p. 22.

⁷⁸ *Federal Union*, May 17, 1832; *Southern Recorder*, May 10, 1832.

⁷⁹ *Georgia Messenger*, May 19, 1832.

⁸⁰ *Macon Telegraph*, July 25, 1832; *Southern Recorder*, May 17, 24, 31, June 7, 14, 1832.

⁸¹ *Federal Union*, June 28, July 5, 1832; *Macon Telegraph*, July 25, 1832.

freely discuss the oppressive evils of the Tariff and the Protective System, and determine upon the proper measure of redress.⁸²

The Crawfordites got the better start in the meeting and elected William H. Crawford chairman. Immediately thereafter the extremists stormed into the meeting, and an uproar ensued. Under the lead of Berrien and Augustin S. Clayton, the latecomers seized control and drove through resolutions already prepared by Clayton. These resolutions called for county meetings to select delegates to a state anti-tariff convention at Milledgeville in November. As Clayton and Berrien swung the meeting to their own wills, the Crawford followers drifted from the hall and left the old man the empty honor of presiding at the victory of his rivals. His kinsman, Joel Crawford, and his strongest supporter, William H. Torrance, were appointed on a committee of correspondence along with Clayton, William C. Dawson of Greene, and Samuel Rockwell.⁸³ The presence of Joel Crawford and Torrance on this committee indicated the final surrender of the old guard which had fought to keep the Troup party from becoming involved in the struggle to overthrow "King Andrew" Jackson.

During the three months which followed the commencement imbroglio, both Troup and Union newspapers tried hard to hold their respective nominees for Congress to the "issues" of the campaign, though no two editors seemed to have identical ideas as to exactly what were the issues involved. Some Troup papers refused to carry the names of the caucus candidates until they would agree on some rational method of meeting the tariff crisis.⁸⁴ A group of Augusta citizens addressed a series of questions to all the candidates in an effort to ascertain their views concerning the powers of Congress under the Constitution and the right of a state to pass on the question of constitutionality of acts of Congress. The varied responses only added to the confusion.⁸⁵ The *Federal Union* refused to support Union candidates whom its editor regarded as friendly to nullification.⁸⁶ The *Georgia Messenger* tried to hold Troup party lines intact by carrying the caucus nominees and the name of Mirabeau B. Lamar, who had failed of caucus support. In Columbus both newspapers deserted their parties. The editor of the *Columbus Enquirer* set forth what he called an anti-tariff ticket selected from both parties.⁸⁷ The caustic editor of *The Democrat* demonstrated the absurdity of the whole affair by presenting three tickets: Union, Nullification, and "Dallying."⁸⁸

⁸² *Georgia Messenger*, August 18, 1832.

⁸³ *Daily Macon Telegraph*, August 7, 1832; *Georgia Messenger*, August 18, 1832; E. M. Coulter, *College Life*, pp. 191-192.

⁸⁴ *Georgia Messenger*, August 3, 9, 1832.

⁸⁵ *Ibid.*, September 13, 20, 27, 1832; *Federal Union*, August 16, September 6, 1832.

⁸⁶ *Georgia Messenger*, September 27, 1832; *Federal Union*, September 27, 1832.

⁸⁷ *Georgia Messenger*, September 20, 27, 1832.

⁸⁸ *The Democrat*, September 22, 1832.

In spite of all the heat and fury of the meetings and the newspaper discussion of the tariff and nullification, Troup voters in 1832 followed the lead of the legislative caucus with little regard for the opinion of individual candidates. Of the seven men elected to Congress from the Troup ticket, James M. Wayne and Richard H. Wilde were confessed Unionists in all but name. Thomas F. Foster, Roger L. Gamble, and George R. Gilmer successfully evaded any statement of their opinions, though Gamble and Foster were active in the anti-tariff meeting at Athens. Gamble opposed Clayton and Berrien, while Foster defended them. Seaborn Jones and Augustin S. Clayton were known as nullifiers, the latter actually being tendered a public dinner in July by the South Carolina extremists.⁸⁹ Of the three Troup candidates who were defeated, Henry Branham began his campaign by opposing all state action on the tariff but later veered around to the support of the Southern convention; Charles E. Haynes opposed nullification, and Mirabeau B. Lamar defended nullification and declared that Georgia should join South Carolina.⁹⁰ No one of these men, however, had the unqualified support of the Troup caucus.

In spite of divergent views on national issues, Troup leaders could agree on the importance of building county organizations. These had the immediate objective of getting strong delegations named to the Milledgeville anti-tariff convention in November and obtaining a majority in the legislature. These county organizations, however, became the permanent basis of the State Rights-Whig party in Georgia. Strangely enough, the public responded to agitation of the tariff issue much more readily than it had to the local issue of reduction of the legislature. Troup leaders went from county to county holding meetings and appointing committees of arrangements and resolutions. These men were denominated "traveling preachers" by an alert Union editor, and local Union leaders soon began attending meetings and adding to the warmth of the discussion.⁹¹ Where the local forces were well balanced, an uproar ensued and sometimes ended in a free-for-all fight. Occasionally the Union forces secured control of a county meeting and published resolutions of opposition to both the tariff and the Athens meeting. In about three-fourths of the county meetings, however, the Troup leaders were able to dictate the naming of committees and the writing of resolutions. These latter generally declared the protective system unjust to the South, decried nullification as the proper remedy, usually endorsed the Athens anti-tariff convention, and pledged support to the state convention to be held at Milledge-

⁸⁹ *Daily Macon Telegraph*, August 3, 1832; *The Democrat*, September 22, 1832; *Georgia Messenger*, August 9, September 13, 20, 1832.

⁹⁰ *Georgia Messenger*, September 13, 20, 27, 1832; *Federal Union*, September 6, 1832.

⁹¹ *Macon Telegraph*, September 12, 1832.

ville in November.⁹² These meetings represented a fair cross-section of public opinion, and they revealed the effective organization of the Troup men. That effectiveness was demonstrated by the election in November which brought victory to every congressional candidate having the unqualified endorsement of the Troup caucus and returned a majority of Troup men to the state legislature.⁹³

While these representatives of the people were busy at their legislative duties in early November, the little city of Milledgeville presented a novel and busy appearance. One reporter, blessed with a talent for descriptive writing, described the situation thus:

Your toes are trod upon by horses, mules and jackasses; and your skirts are pulled by candidates from one end of the town to another. Bar keepers are bawling, ostlers are running, and pigs are bleeding in every direction. . . . All is excitement, confusion—hope, anxiety,—expectation, and disappointment.⁹⁴

The basic cause of the confusion and excitement was the annual meeting of the legislature. The hope, expectation, and disappointment were the result of the land and gold lotteries, which were held on alternate days and daily placed prizes of supposedly fabulous value in the hands of three hundred lucky citizens.

It was in this atmosphere surcharged with excitement that the anti-tariff convention held its session. The first day, November 12, 1832, about 125 delegates were accredited from 65 counties. Nearly half of the delegates came with the avowed purpose of preventing any extreme anti-union statement by the convention. George R. Gilmer, who had taken no active part in the Athens meeting and had successfully resisted all efforts to force him to a stand on nullification in the congressional election, was chosen as presiding officer. When a resolution to appoint a committee on resolutions passed, John Forsyth, now recognized as a leader of the Unionists, opened fire by moving to table the resolution until credentials of the members could be examined. This motion was lost by a vote of sixty-two to sixty-seven.

The convention reassembled the next afternoon, following the adjournment of the legislature for the day. Forsyth moved that a committee be appointed to investigate the election of delegates and determine their right to speak for the people of their respective counties. Against this motion Troup speakers fought on the defensive for two full afternoon-evening sessions. John M. Berrien directed the fight and was aided by speeches by Thomas Spalding of McIntosh, Augustin S. Clayton, Roger L.

⁹² *The Federal Union*, August 16, 23, 30, September 6, 13, 20, November 1, 1832, and the *Georgia Messenger*, August 16, 23, 30, September 6, 13, 1832, give reports of meetings in thirty counties.

⁹³ *Georgia Telegraph*, November 7, 1832.

⁹⁴ *Idem*, November 7, 1832.

Gamble, and William H. Torrance. Others joining the defense were Robert Augustus Beall and Julius C. Alford. Beall, from Bibb County, was editor of the *Georgia Messenger*, 1832-1834. Alford, later known as the "Warhorse of Troup," had none of the polish and urbanity of the first rank Troup leaders. He was, however, a man of considerable native ability, which made him of inestimable service to the Troup party in west Georgia. After the opposition wore itself down in debate, Berrien tried to absorb the Forsyth strength as he had the Crawfordites at Athens three months earlier. Forsyth, however, was an antagonist worthy of the best steel that Berrien could offer, and he kept his following intact by leading fifty-three delegates in secession from the convention.⁹⁵

Of the thirty-seven counties, the majority of whose delegates made up the convention after secession of the Union members, twenty-four had given majority votes in 1831 for Gilmer against Lumpkin, the first Union nominee for governor. Probably half the remaining thirteen counties were changed to the Troup column by the anti-tariff agitation. Even so, there still remained a margin of eight or ten members of the convention whose right to speak for their neighbors on either the tariff or party affiliation might have been successfully challenged, had the Troup majority consented to Forsyth's demand for investigation of elections. In short, the anti-tariff convention of 1832 spoke for the regular Troup counties of middle Georgia and the coast region plus six or eight counties in which alert Troup managers named delegations in spite of strong Union sentiment or by virtue of lack of organized effort on the part of Union managers. Evidently the Unionists in Chatham County forestalled Troup action in this manner, for John M. Berrien, a citizen of Chatham County, went to the convention as one of the four delegates from Monroe County.⁹⁶ Nevertheless, under Berrien's lead, the convention moved along harmoniously after the secession and drew up resolutions opposing the tariff. Later a central committee made up of Milledgeville lawyers called for an election on the first Monday in January to ratify the action of the convention and elect delegates to a Southern convention. The Unionists under the lead of Forsyth and John A. Cuthbert, editor of the *Federal Union*, challenged the right of the Troup party to speak for the state, issued a statement to this effect in explaining their withdrawal from the convention, and denounced the whole affair as stage-play for political effect and Berrien's benefit.⁹⁷ Within six weeks after the adjournment of the convention, comment on the whole episode dropped from the columns of the party prints.⁹⁸

⁹⁵ *Georgia Messenger*, November 15, 22, 1832; *Federal Union*, November 16, 22, 1832; S. F. Miller, *op. cit.*, I, 39, II, 30-34.

⁹⁶ *Federal Union*, January 17, 1833.

⁹⁷ *Georgia Messenger*, November 22, 1832; *Federal Union*, December 6, 20, 1832, January 3, 1833.

⁹⁸ Ellis Merton Coulter, "The Nullification Movement in Georgia," *Georgia Historical Quarterly*, V (1921), 3-39, presents a full and accurate treatment of nullification in Georgia, 1828-1833.

These efforts to restrain the power of the Federal government were followed almost immediately by resumption of the attempt to break down the political power of the small counties in the state government. In January, 1833, Governor Lumpkin called for an election in April of delegates to a constitutional convention. This call was made in pursuance of an act of the Troup legislature of 1832. The act specified that delegates should be elected in the same manner as members of the General Assembly. The act also limited the convention to consideration of reduction and reapportionment of representation.⁹⁹

During the interval between the adjournment of the legislature and the meeting of the constitutional convention, party tension was heightened by agitation of the question of Federal relations. Also during these months party organs began the biennial booming of candidates for the gubernatorial nominations, which presumably would be made during the convention. Lumpkin, in publishing the call for the convention, gave no intimation that he was any more friendly to the reduction movement than he had been a year earlier. A few days later he pardoned the missionaries Worcester and Butler under the same conditions that Gilmer had pardoned nine others condemned along with Worcester and Butler. Instantly the Troup organs accused Lumpkin of truckling to gain favor with Jackson. Lumpkin, they said, was the tool of a junto made up of Attorney-General William Wirt, John Forsyth, and John A. Cuthbert. The Union presses defended Lumpkin.¹⁰⁰ Troup papers used the pardon of the missionaries as proof positive that Georgia should elect a new governor and offered ex-Governor Troup, Augustin S. Clayton, and Joel Crawford as desirable "State Rights" candidates. Whereupon Lumpkin ended the uncertainty of his party affiliation by notifying Troup papers to discontinue mailing their issues to the executive department of the state.¹⁰¹

The convention for reducing the size of the legislature met on May 6. Troup leaders were active in the election of delegates and confidently predicted that they would control the convention.¹⁰² A former Troup leader, James M. Wayne, accepted the nomination of the Union party for president of the body. The Troup party nominated William H. Crawford, probably in an effort to heal the breach occasioned by the tariff fight in 1832.¹⁰³ Wayne was elected president of the convention by a vote of 151 to 88. The unifying effect among Troup leaders of the question of representation and economic sectionalism in the state was also revealed in the nomination of Joel Crawford for governor.

⁹⁹ *Acts of the General Assembly* (1832), pp. 42-43; *Federal Union*, January 10, 1833; F. M. Green, *Constitutional Development*, p. 233.

¹⁰⁰ *Georgia Messenger*, January 17, April 25, 1833; *Federal Union*, February 14, 18, 1833; *Macon Telegraph*, July 11, 1833.

¹⁰¹ *Georgia Messenger*, February 14, March 14, April 18, 1833; *Federal Union*, March 21, 1833; *Georgia Telegraph*, March 6, 1833.

¹⁰² *Southern Recorder*, April 24, May 8, 1833.

¹⁰³ *Georgia Messenger*, May 9, 1833; *Federal Union*, May 9, 1833; *Southern Recorder*, May 8, 1833.

According to a Troup report, Wayne took an active part in the Union plan for reorganizing the scheme of representation in the state. He named a majority of Union men on the committee of twenty-seven to prepare resolutions for action.¹⁰⁴ This committee reported a plan of representation which provided that the senate be reduced to thirty-six members elected from as many districts to be created by action of the General Assembly. The same report proposed a lower house of 144 members in which the 15 counties with largest Federal population would have three members each, the next 25 counties two members each, and the remaining 49 one member each.

The Troup members of the committee made no minority report. They threw their strength on the floor against every conceivably vulnerable spot in the Union plan, which fulfilled the Troup charges that the members of the Union party desired reappointment more than they desired reduction of the legislature. The Troupites pointed out at once that the senate, under the plan submitted by the Unionists, would be the plaything of the majority party in the General Assembly. William C. Dawson took the lead in demanding that the General Assembly be restrained in the making of districts at least to the requirement of equal Federal representation. Nearly a week was consumed in intermittent debate and dilatory tactics by the Troup minority. The Union majority remained intact, though a less obnoxious plan for the senate was finally offered and carried by a vote of 152 to 80. This final plan provided that the convention itself designate one-member senatorial districts of two counties each.

The Troup party was not able to force any such compromise plan for representation in the lower house. The most extreme demand of the Unionists for taking representatives away from slave counties was embodied in a motion to substitute "free white population" for "Federal population." In rebuttal Alfred Iverson offered a substitute of essentially the same nature as the original report. This Union substitute was passed by a majority slightly less than that for the senatorial district plan. Again Dawson took the lead in opposition and offered another "Federal population" substitute. His motion and others of the same tenor were supported by George R. Gilmer, William C. Daniel, William H. Crawford, Thomas Butler King of Glynn, and Mark Anthony Cooper of Putnam. As a last stand, Dawson moved that both plans be submitted to the people with the option of voting for either or neither. This motion was lost by a vote of 86 to 143.

In final action the convention offered two amendments to the constitution of the state. One provided for forty-five one-member senatorial districts of two counties each. This meant that the basis for representation in the senate was not changed, but the size of the body was cut in half. In the lower house representation was to be based on free white

¹⁰⁴ *Georgia Messenger*, May 16, 1833.

population in the following manner: fifteen counties having the greatest white population would have three representatives each; the twenty-five counties next below these in white population would be given two representatives each; the remaining forty-nine counties would have one representative each; and new counties were to be prevented from raising the total by taking one representative from the lowest in the first group as a new county should be formed.¹⁰⁵

The ratification of this latter amendment would not have given the Union party a clear majority in the lower house. It would have tended to weaken both parties, the Troup to a greater degree than the Union, but would have thrown the balance of power into the hands of those counties neither predominantly Union nor Troup, but likely to cast a majority for either party. Twenty-five counties would have lost one representative each. Twelve of these would have come from the counties having three or four representatives. The twelve counties so affected included not a single county of undoubted Union strength and only two or three of doubtful vote. Of the thirteen counties in the two-member class losing a representative each, only two or three were Troup, about the same number Union, and the larger majority of doubtful party vote. Of the twenty-seven counties which had one representative by virtue of slave population, eighteen would have lost a representative. Eleven of these were Troup counties, four were doubtful, and three were Union. In other words, in order to cut off the head of the Troup party in the large slave-holding area of middle Georgia, the Union party would have to trim its own representation in the newer counties where free white population quickly reached a saturation point, while slave population continued to increase under the impetus of profits from cotton-growing. This constant spread of the cotton belt during the twenties and thirties was the Troup party's lease on continued existence, as its ideals were associated with economic prosperity through the production, transportation, and sale of cotton. The first generation of settlers was mainly Clark in politics, but the second generation divided between the two parties, as settled farms and rural population centers replaced the scattered huts and patches of the frontiersmen. Many voters of the second generation in the new cotton counties clung to the democratic ideals of the Clark-Union party, but others deserted the party of their fathers and joined the Troupites. The Troup party was also strengthened by the many sons of Troup families who followed the frontier in search of new cotton lands.

Upon adjournment of the convention, Troup leaders began a determined fight to defeat the amendments. Their strongest point of argument was that the free white amendment was "calculated to invite a change

¹⁰⁵ *Federal Union*, May 16, 23, 1833; *Georgia Messenger*, May 23, 1833; *Georgia Telegraph*, May 15, 1833; F. M. Green, *Constitutional Development*, pp. 233-236.

in our federal relations." Others were as follows: undue influence was given to territory in representation in both houses; a minority of the people in the state dwelling in sixty-two small counties would have an overwhelming majority in the legislature over the majority of the population in the remaining twenty-seven counties; the amendments fell far short of the reduction required and did nothing toward equalization; the senatorial districts and the ratio of representation in the lower house were both arranged in such manner as to perpetuate the ascendancy of the Union party, since new counties would be annexed to existing senatorial districts and large counties would sacrifice representation in the lower house to make room for new counties.¹⁰⁶ Lists of the senatorial districts proposed were published showing the contrasts in Federal population, in white population, and in taxes paid to the state. It was asserted, for example, that the proposed senatorial district of Crawford and Monroe had 18,133 Federal population, 12,487 white population, and paid \$4,291 into the treasury in taxes the preceding year; corresponding figures for Appling and Tattnall were 3,532, 2,803 and \$550.¹⁰⁷ The Union papers replied by declaring that under the Federal Ratio a man who owned five slaves had as much political power as four of his poorer neighbors. They defended the arrangement of the senatorial districts as a measure of defense for the weak counties. Finally, as the party aspect of the struggle became obvious to all observers, they baldly accused the Troup leaders of attempting to set up a government in the state controlled by an aristocracy based solely on the possession of wealth. They construed the defense of the Federal Ratio and the demand for equal representation for the population of the wealthy counties as the beginning of a system that would ultimately mean straight-out representation of property in the state legislature.¹⁰⁸

These arguments of the Union party had little validity in arithmetic or logic, but they made a strong appeal to the racial and social prejudices of Georgia voters and placed the Troup party on the defensive. Late in June, a strong effort was made to counteract their influence. A State Rights Festival was held at Forsyth, Monroe County, in honor of John M. Berrien in appreciation for his services in the anti-tariff convention the preceding November. No other event in the history of the state reveals the westward march of population and political power so graphically as this effort of a citizen of Savannah to identify himself with the middle Georgia area of Troup strength. Berrien had taken no part in the reduction convention and could hardly have brought his undoubted talent directly into the fray without creating jealousy among the lesser Troup

¹⁰⁶ *Georgia Messenger*, May 23, 30, June 6, September 26, 1833; *Georgia Telegraph*, July 31, August 14, 1833; *Federal Union*, September 12, 1833.

¹⁰⁷ *Georgia Messenger*, June 6, 1833.

¹⁰⁸ *Federal Union*, June 6, 13, July 18, August 1, 1833; F. M. Green, *Constitutional Development*, pp. 236-237.

leaders. In his speech he, nevertheless, came to the aid of his distressed party colleagues. He began by praising the compromise tariff as a victory for state resistance to an unconstitutional act. He attacked the Force Bill as a disgrace to the statute books and a denial of state sovereignty. He then very skillfully associated in the minds of his hearers the Union party with this effort to deny every principle for which Georgia had stood in Federal relations. Finally, he accused the Union party of using the free white amendment as a ruse to gain representation in the state legislature for sandbeds, hills, and mountains.

The return of Berrien to the active fight added noticeably to the strength of the Troup party efforts. The attendance at Forsyth was twice that expected by the leaders if one is to accept at face value the gleeful report in Union papers that half the crowd dined on air.¹⁰⁹ Berrien's speech was published and commented on, favorably in Troup papers and unfavorably in Union papers.¹¹⁰ Shortly after the Forsyth meeting, Independence Day celebrations followed party lines; unguarded guns were spiked by rival local leaders, and audiences cheered political speeches in the fervor of the patriotic sentiments associated with the day.¹¹¹

In the meantime, there was impending the biennial threat of a break in Troup ranks on the election of a governor. The Crawford, or old line, leadership never lost its dislike for the attempt of the younger men to desert the personal basis and transform the Troup party into a state rights party. Moreover, they resented the slight attention given in the campaign to Joel Crawford, nominee for governor.¹¹² On the other hand, the leaders who wished to bring the party into the ranks of the anti-Jackson forces soon tired of the agreement which passed by George M. Troup and Augustin S. Clayton because of their taint with nullification, and gave the nomination for governor to Joel Crawford. Robert A. Beall, editor of the *Georgia Messenger*, voiced this dissatisfaction in an editorial asking Crawford the pointed question: "What are your principles?" Beall and other leaders intimated that unless Crawford made a statement satisfactory to the state rights leaders they would offer another candidate at the annual gathering at Franklin College commencement in August. Under pressure Crawford finally issued a series of statements, none entirely satisfactory to the state rights element in the Troup party.¹¹³ Exactly what happened at the commencement caucus is problematical, since Troup reporters were trying hard to heal the breaches in the ranks of their party and Union observers were trying equally as hard to brand Crawford as a nullifier. Both sides reported long and repeated conferences, and the

¹⁰⁹ *Georgia Telegraph*, July 13, 1833.

¹¹⁰ *Georgia Messenger*, June 27, 1833; *Georgia Telegraph*, July 3, 10, 1833.

¹¹¹ *Georgia Messenger*, July 4, 11, 1833; *Federal Union*, July 11, 1833.

¹¹² *Federal Union*, June 20, 1833; *Georgia Messenger*, June 20, 1833, letter, June 3, 1833, William H. Crawford to *Savannah Republican*.

¹¹³ *Georgia Messenger*, July 25, August 1, 8, 1833; *Federal Union*, August 15, 1833.

weight of the evidence seems to indicate that a private statement satisfactory to the extreme state rights group was made by Crawford.¹¹⁴ Crawford was given little public attention, though a great dinner was arranged in honor of George McDuffie, the arch-nullifier, and "visiting statesman" from South Carolina.¹¹⁵ Soon after the commencement John C. Calhoun made his second visit of the year into Georgia and Unionists reported that he was cooperating with the state rights leaders in an attempt to stampede Georgia voters into support of South Carolina.¹¹⁶

In the election held in October, the proposed amendments were defeated by a majority of 6,516 votes, only 24 counties giving a favorable majority.¹¹⁷ The undoubted implication here was that the people of Georgia had no idea of repudiating the Federal Ratio. Lumpkin's majority was 2,294 and came mainly from counties outside the lower Piedmont.¹¹⁸ Lowndes was the only Crawford county which gave a majority for ratification of the amendments. The character of the legislature was in doubt until it met, when the Union party revealed sufficient strength to organize both houses.¹¹⁹ The sectional cleavage of the cotton Piedmont against the more democratic mountain and piney-woods sections proved stronger than the political appeal of tariff opposition. In their disappointment the Troup members of the legislature revealed both pique and bad sportsmanship by casting ballots for Jack Funk, Tom Trot, and other imaginary characters in the election of militia officers.¹²⁰ And disappointment, pique, and disgust seemed to vie in George M. Troup's resignation from the United States Senate.¹²¹ The election of John Pendleton King to fill the vacancy gave both the state government and Georgia's representation in the United States Senate over to the Union party.¹²²

The hopeless defeat of Joel Crawford and the retirement of Troup virtually ended the struggle of the old Troup leaders to maintain the party as a state organization under the shibboleth of a family name.¹²³ When the Union party began the organization of the legislature of 1833, the new leaders in the Troup party drew their forces along the new issue of Federal relations. On the second day of the session Mark A. Cooper moved to strike out the word "sovereignty" as applied to the United States in the

¹¹⁴ *Federal Union*, September 12, October 9, 1833; *Georgia Messenger*, August 15, 1833; *Georgia Telegraph*, August 21, 1833. The Union newspapers reported that the nullifiers forced Crawford to pledge himself to support their principles. Crawford and the Troup newspapers denied that any pledge was made, but insisted that the nullifiers agreed to support Crawford.

¹¹⁵ *Georgia Messenger*, August 15, 1833.

¹¹⁶ *Federal Union*, August 29, 1833.

¹¹⁷ *Georgia Messenger*, October 17, 1833.

¹¹⁸ U. B. Phillips, *Georgia and State Rights*, pp. 136-137.

¹¹⁹ *Federal Union*, November 6, 1833; *Georgia Telegraph*, October 24, 1833.

¹²⁰ *Federal Union*, November 20, 1833.

¹²¹ *Georgia Messenger*, November 21, 1833; E. J. Harden, *op. cit.*, p. 519.

¹²² *Georgia Messenger*, December 5, 1833.

¹²³ *Federal Union*, August 1, September 19, 1833; *Georgia Messenger*, August 21, 1834.

first paragraph of the *House Journal*.¹²⁴ The Union majority, now under the unequivocal leadership of Governor Lumpkin, accepted the challenge, and two days later the governor in his second inaugural address declared "that he who would destroy the sovereignty of the states by consolidation or [that of] the Federal Union by nullification, is a traitor to liberty, and deserved the universal execration of mankind."¹²⁵ A resolution declaring this statement "uncalled for, undignified and improper" was offered in the lower house by Cooper, and three days of bitter debate ensued.¹²⁶ The Troup leaders in the senate made clear their opposition to Jackson in resolutions offered by Absalom Harris Chappell of Monroe. These resolutions denounced Jackson's proclamation and defended the reserved right of the state to interpose its sovereign authority to prevent Federal usurpation, which sovereign authority could be over-ridden only by three-fourths of the states in an amendment of the constitution. The resolution also demanded the repeal of the Force Bill, as inconsistent with the Constitution of the United States and the rights of the states.¹²⁷ The Union majority prevented the adoption of any and all such resolutions, though the minority kept the question open and forced long and bitter discussion at intervals throughout the session.¹²⁸

The Troup leaders set about the task of reorganization of their party immediately after the organization of the legislature in 1833. At the call of Troup newspapers for a State Rights meeting in the chamber of the lower house, practically every prominent Troup leader in the state met in caucus on the evening of November 13, 1833. Christopher B. Strong of Bibb was elected presiding officer. Strong, a native of Virginia, came to Georgia as a boy. He received the formal education typical of Troup leaders and studied law in Virginia under Chancellor Taylor. He was a zealous supporter of both William H. Crawford and George M. Troup and served several terms as a Superior Court judge. He was known and respected as a man of integrity and solid worth to his profession and to the state.¹²⁹ Among the many taking an active part in the organization were Augustin S. Clayton, William H. Crawford, William C. Daniel, Seaborn Jones, Richard W. Habersham, Absalom H. Chappell, Robert A. Beall, Charles Dougherty, William H. Torrance, David B. Mitchell, Joel Crawford, John H. Howard, L. Q. C. Lamar, Irby Hudson, and Samuel Rockwell.

After appointment of a committee on resolutions headed by Clayton, the body formally declared:

¹²⁴ *House Journal* (1833), p. 7; *The Examiner and Journal of Political Economy*, I (1833), 141.

¹²⁵ *Georgia Messenger*, November 14, 1833; see also Wilson Lumpkin, *op. cit.*, I, 142.

¹²⁶ *House Journal* (1833), p. 43; *The Examiner*, I (1833), 156.

¹²⁷ *Senate Journal* (1833), pp. 121-123; *Georgia Messenger*, December 5, 1833.

¹²⁸ *Senate Journal* (1833), pp. 66, 115, 119, 130, 318-384.

¹²⁹ S. F. Miller, *op. cit.*, II, 261-268, 281.

The object of the present meeting is, First, to constitute and form one of those associations for the express purpose of counteracting the designs of the Federal party lately organized in this State, who under false colors, are inculcating the doctrines of John Adams in '98 and those of Daniel Webster at the present time; and, secondly, for the further object of enforcing a systematic opposition to the Proclamation and Force Bill.¹³⁰

Resolutions setting forth a platform of the party were unanimously adopted. The first resolution adopted the name "State Rights Party of Georgia" and recommended the formation of state rights associations in every county of the state. Other resolutions adopted the Virginia and Kentucky Resolutions of 1798 as the official creed of the party, pledged every member of the party to work for the repeal of the Force Bill, and requested every member of Georgia's delegation in Congress to do the same. Continuation of the organization was assured by resolutions that ordered copies of the proceedings mailed to State Rights papers and to the members of the Georgia delegation in Congress and by the appointment of a central committee. Ex-Governor David B. Mitchell was made the first titular head of the State Rights party as chairman of the central committee.¹³¹ Of the thirteen members of the central committee six were lawyers of Milledgeville, and all dwelt in counties near the state capital except Doctor William Green of Bibb, soon to succeed Robert A. Beall as editor of the *Georgia Messenger*.

Two lines of political force issued immediately from this first caucus of the State Rights party. One was directed toward joining the party's effort to the national anti-Jackson movement. This was effected by subscriptions from individuals and local state rights associations to *The Examiner and Journal of Political Economy*, published at Philadelphia by Condé Raguet. The first issue of *The Examiner and Journal of Political Economy* was published in August, 1833, and its publication was underwritten for one year by "some gentlemen of the South" for the purpose of rallying Northern sentiment to save the South from "a choice of submission to a government of unlimited powers, or a war of separation."¹³² During its single year of existence, reports of State Rights activities in Georgia were carried regularly in its columns, and a letter by Augustin S. Clayton setting forth the extreme view of nullification received extended notice. In December, 1833, the editor claimed more than a thousand subscriptions in Georgia.¹³³

The second immediate result of the caucus was the organization of county units of party organization. The members of the caucus not in the legislature returned to their counties or visited other counties and se

¹³⁰ *Georgia Messenger*, November 21, 1833.

¹³¹ *The Examiner*, I (1833), 150-152; S. F. Miller, *op. cit.*, I, 27-30; U. B. Phillips, *Georgia and State Rights*, pp. 137-138.

¹³² *The Examiner*, I (1833), 3.

¹³³ *Ibid.*, I (1833-1834), 42-43, 142, 149, 157-158, 181, 255, 256, 283, 300.

up permanent committees.¹³⁴ This work of organization went forward so rapidly that several county delegations were present at a caucus of the party at Milledgeville, December 12, 1833. This caucus nominated for Congress in the election of 1834 Richard H. Wilde, George R. Gilmer, Roger L. Gamble, Seaborn Jones, Thomas F. Foster, William C. Daniel, Daniel Newnan of Henry, Absalom H. Chappell, and Mirabeau B. Lamar. A week later the central committee held a meeting and made an appeal for the organization of additional county associations to combat the activities of the Union party and to oppose the unconstitutional acts of the Jackson administration.¹³⁵

During the quadrennium ending with the adjournment of the legislature of 1833, the Troup party underwent a series of changes which radically altered its whole character. In the first place, issues began to vie with personalities as the means and measure of party unity. Questions of Federal relations arose concerning the Cherokee land problem and the Federal tariff acts of 1828 and 1832. On these questions Troup leaders formulated no official party policy, but insisted on opposing the passage and obstructing the execution of Federal acts inimical to the interests of Georgia and Georgians. Important local issues of the same period were internal improvements, the Central Bank of Georgia, and the revision of the representative system in the state government. The Troupites supported internal improvements at state expense to the extent of improving river navigation and building highways radiating from the trade centers at the heads of navigation on Savannah, Ocmulgee, and Chattahoochee rivers. They steadfastly refused, despite the pleadings of their leaders and the pressure of their opponents, to initiate a system of state-owned railways or to build highways through the poor and thinly populated areas of the state. The Central Bank of Georgia was founded under Troup auspices and received its accolade of financial dictatorship in the state's affairs at the hands of a Troup legislature. On the question of revision of representation in the state legislature, the Troup party advocated reduction in the size of both houses and opposed to its own serious hurt the inequitable system of county representation which gave an overweening advantage to poor and thinly populated counties.

The use of the issue of Federal relations as a partial criterion of party regularity was accompanied by a second development of prime importance to party politics in Georgia. This was a division in the Troup party into those who wished to continue the Crawford-Troup organization as a faction solely for cooperation in state politics, and those who wished to take advantage of the resentment against the tariff to form an anti-Jackson party. The first of these groups was best represented by William Harris Crawford and his cousin, Joel Crawford. Minor leaders and the

¹³⁴ *Georgia Messenger*, November 28, December 5, 1833, February 20, 27, 1834; *Georgia Telegraph*, January 16, 1834.

¹³⁵ *Georgia Messenger*, December 19, 1833, January 2, 1834.

rank and file of the party seemed fairly evenly divided, but the Crawfordites suffered from an accumulation of jealousies among themselves and the incapacity of their leaders. The influence of the group declined rapidly after the meeting at Athens in August, 1832, and came to a complete end with the death of William Harris Crawford, September 15, 1834.

The Anti-Jacksonites, on the other hand, were strengthened by the current rise in interest in Federal issues, by the promise of spoils from Federal politics, and by the consummate skill of their leaders in seizing, organizing, and directing political feeling. John M. Berrien and Augustin S. Clayton were most active during the four years here under review in first defeating and then absorbing the Crawfordites. Some leaders of this dominant faction, including Clayton, espoused the doctrine of nullification; they might have carried the Troup party into support of South Carolina's extreme stand but for the eagerness of Berrien to return to the Federal sphere of politics and the rise of the Union party. This latter structure was erected, 1828-1831, mainly by former Troup leaders on the ruins of the old Clark party; it immediately took a straight-out stand for the rights of the common man, the support of Andrew Jackson, and loyalty to the Federal Union. In 1833 the Union party reduced the Troup party to an impotent minority and seized control of the financial and political machine the Troupites had, after the usual fashion of well-entrenched majorities, grafted onto the state government.

Thus the emphasis on issues and the elimination of incompatible leadership within the Troup party made possible the consummation of the movement for a reorganization of the party under a new shibboleth. This occurred in two meetings held in Milledgeville late in 1833. The first was the caucus of November 13 which assumed the name State Rights party and adopted the first party platform ever offered to Georgia voters. The platform was a re-statement of the principles of the Virginia and Kentucky Resolutions of 1798 and an expression of opposition to the tariff, to President Jackson's proclamation to the people of South Carolina, and to the Force Bill. The second caucus of the new party was held on December 12, after the leaders had sounded out opinion in their localities and geared the county machines to the newly organized unit of anti-Jackson sentiment. Those who attempt to read into state history merely the reflection of general history must be warned at this juncture, however, that the State Rights party was not a part of the so-called National Republican party. It was still a state party whose interests had been forced into the field of Federal politics by the events and circumstances set forth in this chapter. It is the purpose of the following chapter to describe the unsuccessful efforts of State Rights leaders to maintain their party in this anomalous position.

CHAPTER IV

IN THE MINORITY POSITION: THE STATE RIGHTS PARTY, 1834-1839

This year 1834 marked an important turning point in the history of political parties in Georgia. For the first time since the American Revolution principles of government overshadowed the element of personalism in politics. During the winter of 1833-34, editors of party organs turned political philosophers and filled their columns with long treatises on the nature of the Federal government, the divisibility of sovereignty, and the right of revolution. The *Southern Recorder* set forth the view that each state was sovereign and could not be coerced, but had the optional power of nullifying an unconstitutional act of Congress. The chief source of argument for this view was the Virginia and Kentucky Resolutions of 1798. The *Federal Union* ridiculed the theory of indivisibility of sovereignty, declared that the Federal government rested directly on the consent of the people regardless of state governments, and defended the national view of the United States government based on the Constitution as the supreme law of the land. With slight regard for logic the same paper held that the states were sovereign. The State Rights party insisted on the power of a state to arrest or block the action of the Federal government; the Union party retorted that the citizens of a state had only the right of revolution, and that the state had no more power of resistance than its citizens.¹ A letter of Troup's, published in State Rights papers, set forth a wealth of argument for the right of nullification but against the practical political value of such action.² This brought from the Union press a storm of abuse and ridicule on Troup's attempt to avoid straight-out commitment.³ Whereupon, Troup issued a "Letter to some State Rights Gentlemen in Talbot County" in which he defended the right of nullification and secession as inherent in the nature of sovereign states, such as he held the members of the Union undoubtedly to be. This right, he stated clearly, existed outside and above the Constitution. South Carolina had not acted in 1832 beyond its right as a state, but had been unwise in not acting "in concert with those states having identical interests."⁴ This letter, however, was not given the circulation in State Rights papers accorded to Troup's earlier and less radical statement. So far as principles formed the basis for party cleavage, both parties still preferred circumlocution and hair-splitting logic to clearcut statements.

¹ *Federal Union*, January 22, 29, February 5, 12, 19, 26, May 7, 14, 28, July 2, 30, October 1, 1834; *Georgia Messenger*, June 12, September 15, October 2, 1834.

² *Georgia Messenger*, January 30, 1834; E. J. Harden, *op. cit.*, appendix, i-ii.

³ *Federal Union*, January 29, February 5, 19, 1834.

⁴ E. J. Harden, *op. cit.*, pp. 522-523.

On matters of immediate political import, the parties found a better basis for disagreement. President Jackson's dismissal of William John Duane as Secretary of the Treasury and his removal of the deposits from the Second Bank of the United State were, in State Rights view, acts of unwarranted tyranny and economic unwisdom, which brought in their train immediate and serious distress to Georgia farmers. Of the seven men in Congress elected on the Troup ticket of 1832, Richard H. Wilde, Augustin S. Clayton, Thomas F. Foster, and Roger L. Gamble opposed the removal; while George R. Gilmer, Seaborn Jones, and James M. Wayne joined the Unionists, William Schley and John Coffee, in supporting Andrew Jackson.⁵

The candidacies of the State Rights nominees for Congress in 1834 hinged on the resolutions passed at the first caucus of the party the preceding November. The central committee proclaimed these resolutions the platform of the party and requested nominees to issue statements of support. Richard H. Wilde was friendly with the Unionists, and John Forsyth actually talked with him concerning a nomination by the Union party. Hoping to gain substantial Union support, Wilde refused to pledge himself to the State Rights platform. He simply announced his acceptance of the nomination as the "supporter of State Rights, the friend of Union, and the determined enemy of arbitrary power." Roger L. Gamble and Thomas F. Foster objected to a claim of entire sovereignty for the states, though they regarded the point as of small importance and mere theory. William C. Daniel, Daniel Newnan, Absalom H. Chappell, and Mirabeau B. Lamar accepted the platform without reservation. Seaborn Jones, a former nullifier under fire for support of Jackson's bank policy, declined the nomination, and the central committee named Robert Augustus Beall in his stead. George R. Gilmer evaded commitment until the eve of election, when a Union landslide seemed imminent. He then virtually repudiated the platform of his party in the columns of an opposition paper.⁶

During the campaign the work of organizing the State Rights party went forward rapidly. County organizations began to function in local and municipal politics; the postmaster at Forsyth and other Federal office holders in Georgia, removed for their party zeal, found ready defense by State Rights colleagues; while the status of national affairs gave State Rights partizans a basis of complete agreement in insisting on the election of an anti-Jackson congressional delegation. Likewise, the pending election of two United States Senators was used as an argument for the election of a State Rights majority in the state legislature.⁷ George M. Troup was tendered a complimentary nomination for President, and, in

⁵ *Georgia Messenger*, January 9, 16, February 20, 27, March 13, 20, 27, May 1, 1834.

⁶ *Georgia Messenger*, June 26, July 3, 10, 17, 1834; *Federal Union*, October 8, 1834.

⁷ *Federal Union*, February 12, September 10, 17, 1834; *Georgia Messenger*, January 9, February 12, April 3, May 29, September 25, October 2, 1834.

July, he made an attempt to save the remnant of the old Troup following to the State Rights party by issuing a statement of personal support.⁸ Several former Troup leaders continued to encourage the advances of Union leaders in search of available nominees, as had been the practice for a generation. Among these were Seaton Grantland, formerly an editor of the *Southern Recorder*, and Eugenius Aristides Nisbet of Morgan County. Both were driven to pre-election statements of party affiliation. Grantland resigned from the central committee of the State Rights party and accepted a Union nomination for Congress, but Nisbet chose to remain in the State Rights party.⁹ Unity of action and theory with the national anti-Jackson movement was maintained by the circulation of the *Examiner* from two-thirds of the post offices in Georgia and the report of the county state rights associations to this national organ.¹⁰ For the first time in Georgia politics, a campaign was conducted with the active aid and cooperation of local, state, and national party forces.

Likewise for the first time, congressional election results fell strictly along party lines. Difference of less than a thousand votes stood between James M. Wayne, who received the highest total vote for Congress and the vote of his lowest Union colleague. The difference between this lowest total on the Union ticket and Gilmer, the highest total on the defeated State Rights ticket, was nearly 4,000. The lowest vote on the State Rights ticket was received by Daniel Newnan, whose nullification views had alienated him from the Union party in 1832. He received about 1,000 votes less than Gilmer. In both houses of the state legislature the Union party won overwhelming majorities.

In spite of their defeat State Rights leaders clung to the Virginia and Kentucky Resolutions as their political faith and maintained strict party control in their last remaining stronghold, the minority of the state legislature. Walter Terry Colquitt of Muscogee, Joel Crawford, William C. Dawson, Charles Dougherty, Thomas Butler King, and others of tried experience under the Troup banner organized the hopeless minority and pressed hard their advantages in experience and ability.¹¹ Meanwhile, Union members of the legislature, flush with success, followed the routine of their duties in desultory fashion. Some of their newspapers defended them against charges of mediocrity, profligacy, and ignorance, but others reported that the members of the legislature were more intent on horse-racing than on law-making.¹²

The Union members making up the majority of the legislature, however, did not neglect their political opportunities. Organization followed

⁸ *The Examiner*, I (1834), 184; E. J. Harden, *op. cit.*, pp. 520-521.

⁹ *Federal Union*, May 14, 21, June 11, 18, 1834; *Georgia Messenger*, May 22, June 5, 1834.

¹⁰ *The Examiner*, I (1834), 237.

¹¹ *Georgia Messenger*, October 30, 1834; *Federal Union*, October 22, November 4, 19, 1834; S. F. Miller, *op. cit.*, I, 262.

¹² *Federal Union*, October 22, 1834; *Georgia Telegraph*, November 27, 1834.

strict party lines, and seven new judges were elected to replace State Rights incumbents.¹³ Though the term of the remaining State Rights judge, John W. Hooper of the Cherokee Circuit, did not expire until December, 1835, the Union majority planned to oust him.¹⁴ Hooper's policy of judicial sabotage of the Lumpkin-Union legislation on Indian lands made him a fair target. During 1834, John A. Cuthbert and Owen H. Kenan, both active Union partisans, were sent into Hooper's court as paid special counsel "to defend the rights of the State, and the faithful execution of its laws, in all cases affecting the question of the constitutional jurisdiction of the State, over its entire territory and population."¹⁵ In spite of these hostile watchers, Hooper admitted Indians to courts of equity and granted injunctions to prevent forcible ejection from lots held by Indians under the laws of 1830 and 1831. In this he was sustained by a convention of his State Rights colleagues on the bench, who held that Hooper's decisions were also in agreement with Union legislation of 1833.¹⁶ Governor Lumpkin, in his annual message to the legislature, charged the judges with "prostrating the rights of Georgia citizens and the sovereignty of the State at the feet of a combination of interested individuals and half-civilized men."¹⁷ Meanwhile, Hooper granted a reprieve of fifty-five days in the celebrated Graves case with the intent, it seemed, of inviting interposition of the Supreme Court, a break of the amicable relations between the Lumpkin administration and the United States government, and another act of nullification of a Supreme Court order.¹⁸ When Governor Lumpkin tendered the resultant order of a stay of sentence to the state legislature, the Union majority passed a resolution authorizing Governor Lumpkin and the sheriff of Murray County to proceed with the execution of Graves. This assumption of a state rights attitude by the Union party had the effect of driving the State Rights party into a more extreme stand. States Rights members of the minority supported a resolution, offered by William C. Dawson, that would have accomplished the same result for the condemned man; but it would have based such action on the Virginia and Kentucky Resolutions of 1798 and declared treaties and laws of Congress dealing with Indians in Georgia "unconstitutional, inoperative, and void."¹⁹ A committee investigated Judge Hooper's conduct, but Hooper refused to give up his position. The committee reported the failure to the legislature, and the

¹³ *Federal Union*, November 4, 19, 1834.

¹⁴ *Georgia Telegraph*, November 27, 1834; Warren Grice, *op. cit.*, pp. 172-173.

¹⁵ *Federal Union*, December 17, 1834.

¹⁶ *Ibid.*, July 28, 1834; George White, *Collections*, p. 142; S. F. Miller, *op. cit.*, II, 282-285.

¹⁷ *Senate Journal* (1834), p. 12; see also *Federal Union*, November 4, 1834; Wilson Lumpkin, *op. cit.*, I, 147-148; Warren Grice, *op. cit.*, p. 100.

¹⁸ *Federal Union*, November 12, 19, 26, 1834.

¹⁹ *Ibid.*, November 19, December 3, 10, 17, 1834, January 7, 1835; *Senate Journal* (1834), pp. 90-94, 99-103; *Georgia Messenger*, November 27, December 4, 1834; S. F. Miller, *op. cit.*, I, 262-264.

gold act of 1833 was amended to permit the drawers of gold lots to search for the precious metal in spite of Indian occupation.²⁰

The Hooper incident again brought out the fact, recurring so often in this period, that parties in Georgia usually agreed on blocking undesirable acts of the Federal government. The method of opposing undesirable acts offered a wide range of possibilities for organization and direction of sentiment determined largely by social and economic factors within the state itself. Regardless of party names and shibboleths, the great aim of party organization was to obstruct undesirable action of the Federal government without offending the basic loyalty of Georgians to the Union.

This was the period of rapidly expanding national powers, and parties in Georgia vied for the honor of protecting the state against encroachments. During 1835 the fight between the state parties went merrily along in an election to choose a governor and to fill four vacancies in the congressional delegation. Lumpkin's administration suffered from the constant hammering of the State Rights opposition and from the incompetent leadership in the legislature of 1834. In an effort to recoup their losses, Union leaders nominated James M. Wayne for governor, but Wayne was appointed to the Supreme Court of the United States; William Cumming of Richmond declined the nomination; and for the first time the Union party reverted to the old Clark leadership for a gubernatorial nominee. William Schley, who had come next to Wayne in total votes for Congress in 1834, was nominated for governor by the leaders of the Union party.²¹

The campaign of 1835 revealed the members of the State Rights party as nullifiers in speech rather than in deed. Augustin S. Clayton, the outstanding candidate for governor, had a record of honorable devotion to the party and to the state. He was outspoken in his belief in nullification, however, and his candidacy was frowned upon by the very leaders who had applauded his extreme stand during the preceding three years. In February he issued a statement withdrawing his candidacy. In March the central committee of the State Rights party issued a call for a state nominating convention to meet in June and invited each county to send as many delegates as it had representatives in the General Assembly. Delegates from fifty-five counties met at Milledgeville, June 15. Roger L. Gamble was chosen president of the convention; Charles Dougherty was nominated for governor and George R. Gilmer for Congress in Wayne's place; and resolutions were passed calling on all State Rights voters to support Hugh Lawson White of Tennessee for President of the United States. An executive committee for the party was made up of three representatives elected from each of the judicial districts.²² The election of

²⁰ *Acts of the General Assembly* (1834), pp. 159-160; *Senate Journal* (1834), pp. 179-182; *Federal Union*, November 20, 1835; George White, *Collections*, p. 142.

²¹ *Georgia Messenger*, December 25, 1834, January 22, 1835; *Federal Union*, January 20, April 21, 1835.

²² *Georgia Messenger*, February 15, March 12, 26, June 18, 25, 1835.

this committee was nothing more than a gesture toward statewide representation in party councils, and the central committee continued to carry on the work of the party. Later it announced candidates for additional vacancies in the congressional delegation and issued a statement of the aims of the State Rights party. According to this statement, the party was devoted to "the preservation of the Union, and the sovereignty of these States—to the perpetuation of American liberty—to the vindication of the constitution."²³ This statement was typical of the State Rights reaction from its dangerous approach to nullification during 1832 and 1833; and even the opposition admitted the State Rights leaders' success in banishing nullification from political discussion.²⁴

Leaders of the old Troup party, however, were sensible of the advantage of the new shibboleth "State Rights" over the old personalism without significance for national politics, and they continued use of the name in the gubernatorial campaign of 1835. Since Dougherty had few talents worthy of attention, efforts of party organs were directed toward identifying Schley in the popular mind with the Federalist connections of his early experience as a Clark leader. The aggressive phase of the campaign was in the interest of the candidacy of Hugh Lawson White for the presidency.²⁵ State Rights editors informed voters that Schley had opposed the War of 1812, had reviled Jefferson and Madison, had fought Troup on the Indian land question, and had supported the Alien and Sedition Laws and the Hartford Convention.²⁶ The same papers pictured Van Buren as an abolitionist, a Jackson collar man, a member of the kitchen cabinet, an unscrupulous intriguer, and an avowed enemy of the South. They recommended White as the South's best chance against usurpations of Jackson. They pointed out that White opposed the protective tariff and was a Southern gentleman with all the graces associated therewith.²⁷

In the state elections of 1834 and 1835, however, some of the members of the old Troup party refused to follow their leaders into the State Rights party and became known in the opposition as the "Troup Union" men. These were a distinct minority; but they tipped the balance against their erstwhile colleagues. The State Rights party nominees for governor and for Congress were again defeated and the party was in a hopeless minority in the General Assembly. This minority took a stand against the forcible removal of Indians in violation of the promises made the Cherokees during the administrations of Governors Gilmer and Lumpkin. Most State Rights activity continued to center around the forthcoming general election. A party caucus nominated Hugh Lawson White for

²³ *Georgia Messenger*, September 3, 1835.

²⁴ *Federal Union*, September 19, 26, 1835.

²⁵ *Ibid.*, June 23, August 29, 1835.

²⁶ *Georgia Messenger*, July 16, August 13, September 3, 10, October 1, 15, 22, 1835.

²⁷ *Georgia Messenger*, February 5, 19, April 30, May 7, July 9, 16, September 17, 1835; *Federal Union*, May 12, 19, 26, July 18, 1835.

President and drew up a ticket for the congressional election. Those nominated were William C. Dawson, Eugenius A. Nisbet, Walter T. Colquitt, Richard W. Habersham of Habersham, Thomas B. King, Julius C. Alford, John H. Howard of Baldwin, Joseph Webber Jackson of Chatham, and Edward J. Black of Screven.²⁸ Of these men, Dawson, Nisbet, King, and Howard had been active leaders in the Troup party; the others had come into prominence during the debates on Federal relations since 1832. By coupling these names with the candidacy of White, State Rights leaders hoped to bring many of the Troup Union votes into the State Rights party.²⁹ They failed to accomplish this purpose, and the Unionists captured the governorship and the entire congressional delegation, and retained their majority in the state legislature.

The campaign of 1836 was an orgy of mud-slinging by both parties. In an effort to prevent Union voters going to White, the Union organs made a bitter attack on White's record as a public servant and citizen. It was found that White had voted in the United States Senate against the treaty for the removal of the Cherokees; it was charged that he had served as legal counsel for abolition societies and that he once walked arm-in-arm with a free Negro to the polls in Knoxville.³⁰ Georgia supporters of White procured a letter signed by fourteen citizens of Knoxville which showed that the free Negro episode was a pure fabrication.³¹

The aim of the State Rights party in the campaign was to gain advantage for the whole ticket from the unpopularity of Van Buren in Georgia. Following the endorsement of White by the State Rights caucus, a call for a convention of "the friends of Judge White" was sent out by a State Rights paper.³² Several Union men were among the delegates from twenty-nine counties who met at Milledgeville, May 2. Of the anti-Van Buren electoral ticket, only four men were active State Rights leaders. The remaining seven were divided between White Union men and men of secondary rank in the State Rights party.³³

No stone was left unturned in the State Rights slander attack. An article in the *Federal Union* of 1832 characterizing Van Buren as "an artful, insincere, and selfish politician" was copied and re-copied with plentiful editorial spicing.³⁴ Van Buren was presented also as a friend of the abolitionists, an advocate of Negro suffrage in New York, a supporter of the protective system, an opponent of the United States Bank, and a

²⁸ *Federal Union*, December 11, 1835; *Georgia Messenger*, December 24, 31, 1835.

²⁹ *Federal Union*, December 11, 1835.

³⁰ *Ibid.*, October 11, 1836; *Georgia Messenger*, June 30, August 11, 1836; *Georgia Telegraph*, November 3, 1836.

³¹ *Federal Union*, October 25, 1836; *Georgia Messenger*, October 13, 1836.

³² *Georgia Journal*, January 12, 1836.

³³ *Federal Union*, April 28, May 12, 1836; *Georgia Journal*, May 10, 1836; *Georgia Messenger*, May 5, June 30, July 7, 1835.

³⁴ *Georgia Messenger*, May 12, August 11, September 8, 15, 22, 29, 1836.

Northern man with no sympathy for the South.³⁵ Van Buren's running mate, Richard Mentor Johnson, was condemned in Georgia by the publication of his alleged practice of race amalgamation. Extracts from Kentucky, New York, and Washington (District of Columbia) newspapers repeated a story that Johnson had lived with a Negro woman "as black as the ace of spades" and had given her daughters handsome dowries upon their marriage to white men.³⁶

The election of members of the General Assembly and Congress was an indication that the State Rights insistence on personalities of national importance was a course of political wisdom. Union majorities were returned to both houses of the General Assembly. Many members of the Union party, however, refused to support the Van Buren ticket for Congress, and the majorities against the State Rights candidates were smaller by 3,500 votes than they had been two years earlier. When the general election was held, the White electoral ticket was chosen by a vote of 4,000 less than the average vote given the State Rights congressional nominees. In the same election and by an equally small vote, William C. Dawson was elected to a vacancy in the congressional delegation caused by the death of John Coffee. In addition to the thirty-one counties carried by the State Rights congressional ticket, White received a majority vote in the counties of Butts, Coweta, Houston, Jones, McIntosh, Talbot, Telfair, and Warren.³⁷ Most of these were counties whose population was so balanced between cotton planters and frontier farmers that elections were always close and were usually determined by local factors of organization and activities of county "bosses." In this case, the presence of Union leaders on the White ticket, the unpopularity of Van Buren, and the hope of victory combined to give many Union votes to White. Thus by a narrow margin the balance of political power was upset, and the State Rights party began its march to the ascendancy in the state.

The State Rights march to success was made easier because of the decline of the Union party. The administration of Schley never enjoyed the popularity accorded that of Lumpkin and could not cope with the improved organization and increased strength of its opponents. Criticism and quarrels in the Union ranks developed over the occupation of the Cherokee lands and the policy of the Central Bank of Georgia. Upon the organization in 1832 of the Cherokee territory into counties, William N. Bishop was placed in command of the enlarged Cherokee guard. Enforcement of the ejection laws of the Union administration placed in the hands of Bishop grave responsibilities in determining possession, which was the frontiersman's only law concerning land. Though Bishop was hardly the

³⁵ *Federal Union*, October 11, 1836; *Georgia Messenger*, April 21, May 5, 12, 19, August 18, October 13, 27, November 3, 1836.

³⁶ *Georgia Messenger*, July 9, 1835, August 25, 1836.

³⁷ *Federal Union*, October 25, November 29, 1836; *Georgia Messenger*, October 27, November 24, 1836.

scoundrel and bully that State Rights papers painted, he showed little considerations to the few rights, legal or human, that were left to the Indians. His treatment of State Rights partisans in the area was fully as harsh as that he meted out to the Indians. In the spring of 1835 one Spencer Riley was wounded in a brawl in which Bishop was reported to have shouted, "Kill that damned rascal, we have no use for nullifiers in this country." Riley was sufficiently recovered by November to assault Bishop in the capitol at Milledgeville.³⁸

While these and other acts of violence and bloodshed were occurring, Bishop and the Cherokee guard, according to State Rights report, were paying off their personal grudges and seizing illegally the property of their enemies.³⁹ The Union newspapers denied none of these things, but boldly asserted that Bishop kept the new counties Union in politics by the simple expedient of issuing rifles to his supporters and stationing tried lieutenants at the polls with arms to prevent State Rights men from voting. They also reported, without apology, Bishop's intimidation of juries and justices of the peace. Thus according to reports of friends and enemies alike, Bishop very effectively played the role of a frontier political leader.⁴⁰ Spencer Riley, the local State Rights leader, had neither the personal daring, the disregard for law and order, nor the personal following necessary to hold Bishop in check.⁴¹ Bishop, moreover, had the advantage of the support of the administration and the militia. The net result was that the new counties voted Union in 1836 and 1837, as they undoubtedly would have done regardless of all the Bishops and Rileys infesting them; but the Union party lost many votes in the more advanced sections of the state where the foregoing incidents were reported in lurid detail by the party press. Especially did State Rights editors emphasize the lawless character of the Union party after Governor Lumpkin appointed Bishop a teller in the Central Bank of Georgia.⁴²

The Central Bank became the focal point for the storm that brought defeat to Governor Schley in 1837. Early in Schley's administration it was suspected that he was not acceptable to some of the party leaders. The *Federal Union* denied this report, and outward harmony was maintained for a few months. The quarrel came into public notice when the *Federal Union* published vigorous criticisms of the bank, presumably written to the editor by Union supporters, since the *Federal Union* was recognized as the organ of the Union party. Nevertheless, these articles were commended by John A. Cuthbert, editor of the paper. During 1836 Cuth-

³⁸ *Georgia Messenger*, April 9, 1835; *Federal Union*, November 13, 1835; *Georgia Journal*, November 13, 1835.

³⁹ *Georgia Messenger*, May 19, 1836.

⁴⁰ *Federal Union*, January 24, March 21, 1836; *Macon Georgia Telegraph*, June 27, 1837.

⁴¹ *Georgia Messenger*, November 2, 1837.

⁴² *Georgia Messenger*, February 9, May 11, June 8, August 17, 1837.

bert's strictures on the bank as an institution of centralized financial power became more bitter and the State Rights editors made the most of the opportunity to embarrass the Union administration by joining the internecine quarrel of their political enemies.⁴³ When the legislature of 1836 met, the controversy had reached the stage of an open fight between Tomlinson Fort, president of the Central Bank, and Cuthbert. The State Rights organs and the *Federal Union* were attacking the administration of the bank as a union between corrupt political power and dishonest financial power.⁴⁴

In the meantime, Congress passed a bill to distribute the surplus revenue of the Federal government to the states by a series of loans. Georgia's share of this money immediately became a part of the Central Bank controversy. A majority report of the committee on finance in the legislature recommended that the money be invested in a railroad, the revenue from which would be used to support public schools. A minority of the committee, however, followed the Union leaders close to Governor Schley and Tomlinson Fort, who wished to deposit the money in the Central Bank and use the interest to support the state government; and Schley recommended such action to the legislature.⁴⁵ This was bitterly opposed by the *Federal Union* and the entire State Rights party press, which professed to prefer the destruction of the Central Bank and the use of the surplus for internal improvements. William Black of Monroe offered a bill in the lower house to repeal the charter of the Central Bank and invest its funds in internal improvements. No support was given the bill by the State Rights party, and it was modified beyond recognition in committee.⁴⁶ The final bill concerning the surplus disregarded State Rights view on the matter. It was a victory of the conservative wing of the Union party led by Schley and Fort over the more democratic sentiment in the party which wished to see the money used for public education. The bill provided that the money be deposited in the Central Bank and loaned to citizens according to the usual program of the bank. The state treasurer was empowered to pledge the faith of the state for ultimate repayment of the funds, and interest from the fund was to be used as future legislatures might direct.⁴⁷

As Fort and Schley were able to obtain their will in the matter of the surplus bill, they were also able to override their opponents in the

⁴³ *Federal Union*, March 11, June 2, 9, 16, 23, August 9, 16, 30, 1836; *Georgia Messenger*, June 9, 1836.

⁴⁴ *Federal Union*, December 27, 1836; *Georgia Messenger*, August 18, November 10, 1836.

⁴⁵ *Senate Journal* (1836), pp. 29-30; *Georgia Messenger*, November 17, December 8, 1836.

⁴⁶ *House Journal* (1836), pp. 33, 85; *Federal Union*, July 19, 26, November 8, 15, 1836.

⁴⁷ *Acts of the General Assembly* (1836), pp. 262-264; *Federal Union*, January 3, 1837; *Georgia Messenger*, January 12, 1837.

Union party caucus and renominate Schley for governor on the first ballot.⁴⁸ Before the campaign got under way, however, John A. Cuthbert was forced to resign the editorship of the *Federal Union*, still largely owned by Fort. Under the editorship of John G. Park, comptroller of the treasury, the *Federal Union* gave vigorous support to Fort and Schley in the Central Bank quarrel. The new editor went so far as to utilize the pen-name "Baldwin," that had been signed to many of the anti-bank articles of 1836.⁴⁹ Many readers probably wondered how "Baldwin" changed his mind so suddenly; but some could see in the change of style and argument that Cuthbert's "Baldwin" left the offices of the *Federal Union* along with the discharged editor, who was no doubt his creator.

The Central Bank issue was made more acute by the panic of 1837. In April the news was published in Georgia that the money markets in Philadelphia and in New York were tightening and that a great cotton-buying house in New Orleans had failed. Everywhere in Georgia the weak banks, chartered under the liberal policy of the Union legislatures, began closing their doors. By the end of May only seventeen banks in the state were in operation, and of these only the Central Bank was paying in specie. There was a demand for an immediate extra session of the legislature to relieve the necessities of the people, but Governor Schley declined to call an extra session on the ground that all available state funds were already in the hands of citizens.⁵⁰

In this time of distress the Central Bank became a fair target for the political enemies of Schley and Fort. They charged the bank with favoritism in distributing loans and with ignoring the applications for loans to many citizens in actual need.⁵¹ The Central Bank, they declared, maintained payment in specie not by wise management, but by treachery to the banks of the state whose bills were unloaded from the coffers of the Central Bank.⁵² A third charge was that Central Bank officials were a part of a Union party clique that controlled the entire state government. In support of this charge it was pointed out that Fort owned the *Federal Union*, that the editor of the *Standard of Union* (Milledgeville) was state treasurer, that the editor of the *Federal Union* was comptroller of the state treasury and that even such a murderer as William N. Bishop had been rewarded by a place as teller in the Central Bank.⁵³ Credence to all these charges and to the affirmation that Fort was the "actual Governor" was strengthened by the action of Fort himself shortly before the election of 1837. Without any authorization the State Rights papers in Milledgeville published a story to the effect that distribution of funds by

⁴⁸ *Federal Union*, December 27, 1836; *Georgia Messenger*, August 10, 1837.

⁴⁹ *Federal Union*, April 11, June 6, 1837.

⁵⁰ *Ibid.*, April 18, 25, May 23, 30, June 20, 1837.

⁵¹ *Georgia Messenger*, September 7, 1837; *Federal Union*, June 13, 1837.

⁵² *Georgia Messenger*, June 1, 1837; *Georgia Journal*, July 18, 1837.

⁵³ *Georgia Messenger*, February 9, July 13, 1837.

the Central Bank would probably cease after September 21. Whereupon, Fort declared in a hurriedly printed hand-bill that "whether the last quarter of the surplus revenue is received or not, the distribution shall go on to its completion."⁵⁴ Shortly thereafter, Congress passed a bill which virtually converted the loans to outright gifts to the states and postponed indefinitely the distribution of the fourth installment which was payable under the original bill on October 1, 1837.⁵⁵

While criticisms and charges were weakening the hold of Schley on his party, editors were engaged in the biennial exchange of amenities more or less relevant to the election of a governor. It was clear that the elimination of nullification from the State Rights party and the support of Van Buren by the Union party had driven many former Unionists into the State Rights party.⁵⁶ Union leaders made a strong fight against the State Rights organization in an effort to restore these votes to the Union party. The State Rights strategy for holding White Union men was revealed in the re-christening of the party the "State Rights and Republican Party."⁵⁷ Under this caption a nominating committee met at Milledgeville on May 15. The idea of founding a party on the principles of the Kentucky and Virginia Resolutions was frankly abandoned, and the main point of consideration was "what measures can be adopted by the convention calculated to advance the principles of the Republicans of Georgia." John M. Berrien was elected president, and William S. Rockwell, editor of the *Georgia Journal*, was chosen secretary of a large aggregation of delegates from sixty-three counties.⁵⁸ Some White Union men were present, and one of them was mentioned as a candidate for governor. On the first ballot, ex-Governor Gilmer received slightly more than a third of the votes cast, and the remaining votes were scattered among Henry Graybill Lamar, Charles Dougherty, and several minor leaders. On the second ballot Gilmer received ninety-one votes, a majority of one.⁵⁹ The usual motion for unanimity was missing from the published record of the convention. Gilmer had many foes in the State Rights party who could be persuaded to remain quiet but could never be converted to open support for Gilmer. Instead of driving these forces into active opposition by a demand for unanimity, the party leaders openly admitted "conflicting views and opinions" in the party and emphasized the importance of unanimity in acting and voting.⁶⁰

The Unionists recognized the weakness of Gilmer as a candidate for governor and concentrated their fire on him. Their chief line of attack was

⁵⁴ *Federal Union*, September 26, 1837; see also *Georgia Journal*, September 26, 1837.

⁵⁵ T. H. Benton, *op. cit.*, II, 36-39.

⁵⁶ *Federal Union*, March 28, 1837.

⁵⁷ *Georgia Messenger*, May 11, 1837; *Macon Georgia Telegraph*, May 4, 1837.

⁵⁸ *Georgia Journal*, May 23, 1837.

⁵⁹ *Federal Union*, May 16, 1837.

⁶⁰ *Georgia Journal*, May 30, 1837; *Georgia Messenger*, June 22, 1837.

to describe Gilmer as an aristocrat who had no faith in the people. This was borne out by his recommendation to withhold the gold lands from lottery for the purpose of preventing the people of the state from becoming excited at the prospect of wealth without labor.⁶¹ As a trustee of Franklin College, Gilmer advocated the abolition of compulsory military service, after it had been recommended by the college authorities. This was interpreted by the Union press as an effort to exempt the sons of wealthy families from the duties of protecting the state and to throw this burden entirely on the poor.⁶² Likewise, Gilmer's humanitarian policy toward the Cherokees, especially his recommendation to the legislature that Indian testimony be accepted in courts, was turned against him. Gilmer was charged with impeding the opening of new lands and of supporting the claims of red savages against the honest yeomen of Georgia. This tenderness for the rights of the Indians was thrown in contrast to the forthright policy of Schley, then in the Cherokee country supervising the survey for the Western and Atlantic Railway.⁶³

Lest some Unionists might not heed these evidences of Gilmer's unfitness for office, other lines of attack were followed by the Union papers. They insisted that while Gilmer had never been known as a nullifier and while the party leaders had discarded the name, Gilmer was the nominee of a party founded on the principle of nullification.⁶⁴ Editorials were written to show that nullification in disguise and the equivocal conduct of Gilmer were much more dangerous to the state than the honest efforts of 1832 to block the action of the Federal government. Moreover, with the ugly head of abolitionism reared by the side of its blood brother, nullification, encouragement to one would embolden the other.⁶⁵ Union men were warned that Gilmer had betrayed them in 1829 and had shown himself incapable of elementary political gratitude.⁶⁶ Finally, the call went out for support of the party nominee regardless of the qualifications or past records of the two men.

Union men remember that Schley is the champion of your principles and that Gilmer is the candidate of your enemies; poor men remember that Governor Schley is the poor man's friend—that George R. Gilmer is the friend of the aristocracy, and despises the working men—the tillers of the soil.⁶⁷

⁶¹ *Federal Union*, June 13, 27, August 15, September 19, 26, 1837; *Georgia Messenger*, September 21, 1837; *Macon Georgia Telegraph*, July 4, 18, 1837; *Georgia Journal*, August 13, 1837.

⁶² *Georgia Messenger*, September 7, 1837; *Federal Union*, August 22, 1837; *Macon Georgia Telegraph*, September 4, 1837; E. M. Coulter, *Short History*, p. 60.

⁶³ *Federal Union*, July 25, August 22, 1837; *Georgia Messenger*, September 14, 1837; *Macon Georgia Telegraph*, August 1, September 11, 1837.

⁶⁴ *Macon Georgia Telegraph*, September 11, 1837.

⁶⁵ *Federal Union*, May 9, 23, 30, August 15, 1837; *Macon Georgia Telegraph*, July 11, August 1, 8, September 11, 1837.

⁶⁶ *Federal Union*, February 25, July 25, 1837; *Macon Georgia Telegraph*, September 18, October 2, 1837.

⁶⁷ *Federal Union*, September 26, 1837.

State Rights organs made little attempt to defend Gilmer against the charges brought by the Unionists. The major phase of the State Rights campaign was a continuation of the aggressive tactics of the 1836 presidential campaign. All the fury that had been raised against Van Buren was directed against Schley, who was declared to be a tool of "the Van Buren party" in control of the national administration. The election of Schley, according to State Rights report, would be an endorsement of the specie circular and the removal of deposits from the Bank of the United States, by which the general government had brought economic distress on the country; it would strengthen the hands of those who advocated the reception of abolition petitions, the circulation of abolition newspapers, and the spoils system.⁶⁸

These newspaper attacks on the Union party's stand on national issues were supplemented by an ardent appeal directly to the electorate not to approve the undesirable traits in Governor Schley's character. To the 1835 charge of Federalism was added Governor Schley's refusal to pay warrants for supplies of volunteers to the Creek War.⁶⁹ Schley was trapped into writing a letter concerning the warrants in question to James A. Meriwether, a State Rights partisan and one of the captains whose accounts had not been accepted by the executive department.⁷⁰ To these charges was added the further information that Governor Schley's support came from the editors of the *Standard of Union* and the *Federal Union*, both on the payroll of the state.⁷¹ All these charges were drawn in a summarized indictment, published in hand bills, and distributed to county organizations and speakers in all parts of the state.⁷² By means of these tactics and with the support of many Unionists under the lead of John A. Cuthbert and William Cumming, Gilmer was elected governor by a majority of 762 votes.⁷³

Whence came the votes that tipped the balance in favor of the State Rights candidate? State Rights supporters interpreted the results as an expression of anti-Van Buren sentiment, while the Union press said Gilmer was elected by Union men who voted against Schley.⁷⁴ At any rate, the balance of power was exercised by the doubtful counties of central Georgia. Of the nine counties carried by Schley in 1835 and by Gilmer in 1837, all were cotton-minded in economics and doubtful in

⁶⁸ *Georgia Journal*, August 8, 13, 1837; *Georgia Messenger*, May 4, June 22, 29, July 6, 13, August 17, September 7, 14, 1837.

⁶⁹ *Georgia Messenger*, July 13, 20, 1837.

⁷⁰ *Federal Union*, September 3, 1837; *Georgia Messenger*, September 7, 14, 21, 1837.

⁷¹ *Georgia Journal*, September 26, 1837.

⁷² *Federal Union*, September 19, 1837; *Georgia Messenger*, June 22, July 6, 20, 1837; *Georgia Journal*, September 26, 1837.

⁷³ *Georgia Journal*, August 8, September 24, 1837; *Federal Union*, October 24, 1837.

⁷⁴ *Macon Georgia Telegraph*, October 16, 23, 1837; *Georgia Messenger*, October 19, 1837.

politics. In seven counties of this economic-political class, majorities were given for Gilmer, while the majority of each delegation to the General Assembly was Union in politics. Of the total State Rights membership in the two houses, about forty short of equality with the Union party, less than two-thirds came from twenty-four county delegations which were entirely State Rights. These were all large and wealthy cotton counties except Marion, Tattnall, and Effingham. The remainder of the State Rights membership was made up of scattered individuals from divided delegations representing the counties of marginal character in economic status. Six of these latter representatives came from counties in north and west Georgia that were only slightly removed from the frontier.⁷⁵ In short, the State Rights party was able to elect Gilmer, a very unsuitable candidate, by virtue of its superior organization and well-directed propaganda on men and issues. On the other hand, the Union party maintained its majority in the General Assembly by virtue of votes cast for personal acquaintances and neighbors in the counties of mixed economic character. This majority was possible because of the democratic traditions which the Union party inherited from the Clark party and because the plan of representation gave an advantage to the poor and thinly populated counties. In a panic year, the middle group of counties, in transition from frontier to settled farming, cast majorities against Schley and the Central Bank group that constituted the conservative, right-wing element in the Union party. These counties, however, and others gave majority votes to Union candidates for the legislature, because they represented more faithfully the demands of the common man on his government. The election of 1837 was less a victory for the State Rights party than a repudiation of the conservative leadership of the Union party.

On November 8, 1837, George R. Gilmer began his second term as governor with a party majority in the legislature against him. In his inaugural address he stated clearly that all appointments in the hands of the executive would be filled with faithful party adherents. This was a declaration of war on the Central Bank clique of the Union party. These men used the month between Gilmer's election and his inauguration to clean out most of the objectionable individuals in the bank's service, including William N. Bishop of Cherokee fame.⁷⁶

Aside from this diversion of purely political import, Gilmer's inaugural address was an able analysis of the issues that agitated the state for two decades. He regarded reform of the state system of representation as highly important; he pointed out that the rapid settlement of the Cherokee territory, its wealth of natural resources, and its great distance from the sea combined to make imperative state action to insure construction of a

⁷⁵ *Georgia Messenger*, October 19, 1837; *Federal Union*, November 13, 1837; *Macon Georgia Telegraph*, October 23, November 13, 1837.

⁷⁶ *Federal Union*, October 24, 31, 1837; *Georgia Messenger*, October 19, 1837.

railroad to carry its cotton and grain to market. He recognized the pressing necessity under which banks had been forced to cease payment in specie, but believed that the legislature should compel "them to resume specie payments as soon as the state of commerce and exchanges will permit." In matters of national import he held that strict construction of the Constitution was imperative to the slave states. "Instead of strengthening the hands of the General Government, our true position is, to stand by the powers of the State and the people, as the surest safeguards of our rights of liberty and of property."⁷⁷

Two tests on the question of Federal relations occurred in the legislature of 1837. The term of John P. King, elected United States Senator in the early days of Union party success, was about to expire. King had joined the Whig opposition to Jackson's financial policy. The Union party held that this action was in violation of the doctrine of instruction of Senators by the state legislature, and some members of the party demanded King's resignation.⁷⁸ After the state election in October indicated a strong spirit of opposition to the Federal administration, King directed a shot at his hecklers. He did not deny the theory of instruction but defended his action in opposing Jackson's tyranny in political and financial matters.⁷⁹ Such a move five years earlier would have been considered an invitation for a nomination by the State Rights party. Party lines were more closely drawn in 1837, however, and King was forced to accept disciplinary retirement at the hands of his party. John M. Berrien was the State Rights nominee for the senatorship but received only ninety-six of his party's votes in opposition to Wilson Lumpkin. Many State Rights members of the legislature, elected in an anti-Van Buren campaign, were still loath to cast votes for a political enemy of Andrew Jackson.⁸⁰

The second test vote on Federal relations was something of a climax to a series of events tending to arouse excitement over the slavery issue. As early as Troup's first administration, the sovereign state of Georgia received petitions from Northern state legislatures praying the abolition of slavery. In conveying this information to the legislature, Governor Troup denied that Congress or the state governments had any right to question the existence of slavery and recommended that Georgia give notice that her citizens would defend the institution as they would their lives.⁸¹ Throughout the era of the tariff agitation a strong undercurrent of fear and suspicion of Northern aggression along the slavery front swept through Georgia. The legislature of 1832 offered a reward of \$5,000 for the arrest in Georgia of William Lloyd Garrison, editor of the *Liberator*. In 1834 Georgia was horrified by the unearthing of a plot for a general slave insurrection under the leadership of the infamous John A. Murrell

⁷⁷ *Macon Georgia Telegraph*, November 13, 1837.

⁷⁸ *Federal Union*, October 3, 10, 1837. ⁷⁹ *Ibid.*, October 31, 1837.

⁸⁰ *Macon Georgia Telegraph*, November 27, 1837.

⁸¹ E. J. Harden, *op. cit.*, p. 419.

of Tennessee. A year later the temperance societies in Georgia severed their connection with the American Temperance Society because of the latter's support of the abolition movement.⁸² In September, 1835, a plot for a slave insurrection on election day was uncovered in Monroe County. Several Negroes were arrested, and three were brought to trial. Of the two found guilty, one was hanged, and the other was whipped, branded, and had his ears trimmed.⁸³ The next year an abolitionist fraudulently posing as a schoolmaster was apprehended at Hillsborough in Jasper County. He was tried but could not be legally convicted, since only Negroes could testify that he had spoken at night meetings of slaves, telling them of the delights of freedom and the equality of all men. Nevertheless, he was tarred, feathered, ridden on a rail, and banished from the state by the court of King Mob, unrestrained by rules of evidence.⁸⁴ In his annual message of 1835 to the legislature, Governor Lumpkin condemned the abolitionists and stressed the need for congressional action to prevent the circulation of anti-slavery literature.⁸⁵ During 1837 there was published in Georgia the official correspondence between the governor of Maine and Governor Schley concerning the former's refusal to arrest two sailors charged with carrying a slave out of Georgia.⁸⁶ When this matter was broached in the legislature it was unanimously resolved that

... when the interests of the States cease to be maintained, through the faithlessness of any party to the Federal Constitution, that then the State is no longer bound by any obligations to the common compact; and that it then becomes not only her right, but her duty paramount to all others, to seek and provide for their [*sic*] people, in their [*sic*] own way.⁸⁷

Abolition and slavery were already matters of sectional division and were not subject to any pattern of party arrangement.⁸⁸

The issues in state politics which provoked party division in 1837 were state banking, internal improvements, and public education. The annual report of Tomlinson Fort, president of the Central Bank of Georgia, was submitted to the legislature on November 5, three days before Gilmer became governor. In the report Fort revealed some of the methods by which the Central Bank was able to continue specie payment during the panic. Issue of currency was kept at a minimum, and specie was held in the vaults. At the same time notes of other banks in the state were paid out or returned to the banks of issue with demands for specie payment. Though the charter of the Central Bank gave no power to borrow

⁸² Henry Anselm Scomp, *King Alcohol in the Realm of King Cotton*, pp. 299-305.

⁸³ *Georgia Messenger*, October 22, 1835.

⁸⁴ *Federal Union*, October 11, 1836; Ralph Betts Flanders, *Plantation Slavery in Georgia*, p. 236.

⁸⁵ Wilson Lumpkin, *op. cit.*, I, 164-165.

⁸⁶ *Federal Union*, September 19, 1837.

⁸⁷ *Acts of the General Assembly* (1837), pp. 282-287; see also *Georgia Messenger*, December 28, 1837.

⁸⁸ U. B. Phillips, *Georgia and State Rights*, pp. 159-161.

money, \$230,000 had been obtained in exchange for notes transferred to other banks in the state. The report asserted that current funds were practically exhausted and strongly recommended that the legislature grant the bank authority to borrow \$160,000 on its own credit.⁸⁹ This state of affairs was caused by Fort's continued distribution of funds in September in spite of the failure of the Federal government to pay the last quarter of the promised surplus revenue. In order that the distribution already begun might be carried out in all the counties, borrowing was essential.

Neither State Rights nor Union members of the legislature, however, were willing to see the Central Bank whitewashed, and a committee was appointed to investigate the affairs of the bank. That committee's principal disclosure was that the Central Bank had accepted the notes of certain pet banks without adequate security. The most glaring case of wild-cat banking methods under the sponsorship of the Central Bank was the Bank of Hawkinsville, deep in the piney-woods area of Union strength. Notes from this bank were allowed to accumulate in the Central Bank to the amount of \$105,000. Of this amount \$45,000 were covered by the cashier's bond and the stock of the bank as collateral. When the Central Bank was forced by its own near-exhaustion of funds to demand payment, the Bank of Hawkinsville could pay only \$20,000 in gold. This five-fold expansion of paper credit was defended by the Central Bank's friends, since the failure of the Bank of Hawkinsville would have meant a loss of \$400,000 to the holders of the bank's bills issued also on its credit.⁹⁰

Before these facts were published in Milledgeville, the state senate passed a resolution granting the borrowing power desired by Fort. On the day the committee of investigation made its report in the lower house, the same resolution passed that body, eighty-seven to fifty-eight. The Sate Rights party furnished forty-one of the negative votes, and Governor Gilmer vetoed the resolution.⁹¹ Immediately thereafter, a resolution of censure on Fort's administration of the Central Bank was passed without a division.⁹² A committee was also named to make an extensive investigation into the bank's affairs and report to the next session of the legislature.⁹³ These tactics failed in their obvious purpose of mollifying Governor Gilmer's anger against the Central Bank as did also a threat to place the election of the bank's officials in the hands of the legislature.⁹⁴ The reasons stated by Gilmer for his veto of the borrowing resolution were that a law passed by the legislature could not be changed by resolu-

⁸⁹ *Senate Journal* (1837), pp. 37-48; *Federal Union*, November 28, 1837; *Georgia Messenger*, November 23, 1837.

⁹⁰ *Federal Union*, November 28, 1837; *Georgia Journal*, December 1, 1837.

⁹¹ *Senate Journal* (1837), pp. 193-194; *Georgia Journal*, December 1, 1837.

⁹² *Georgia Messenger*, December 7, 1837.

⁹³ *Acts of the General Assembly* (1837), p. 273.

⁹⁴ *Macon Georgia Telegraph*, November 27, 1837.

tion, that the origin of the resolution in the senate was in violation of the constitutional provision that money bills originate in the lower house, and that the illegal borrowing of money for distribution in some counties was no reason for doing the same thing for others.⁹⁵ Though the governor's message was verbose and his logic weak, his meaning was clear: he and his party, occupying the minority in the General Assembly, were unalterably opposed to further expansion of the state's credit for the relief of its citizens. The veto of the bill was probably no surprise to the members of the Union party, for they gave Gilmer the title "Governor Veto" on the strength of it and his disapproval of a volunteer expedition against the Indians in Florida.⁹⁶

The question of internal improvements at state expense did not figure in Georgia politics as a party measure to the same extent as did the Central Bank issue. In the Union legislatures from 1833 to 1837 there were always vigorous efforts on the part of residents of Macon and Savannah to get state aid for railway companies. These efforts failed of their purpose, though the legislature granted liberal charters and restricted banking privileges to both the Central Railroad and Banking Company and to the Georgia Railroad Company during these years. By 1837 both these companies were engaged in construction, the former from Savannah to Macon, the latter from Augusta to Athens. These companies and others, however, did not receive state aid in construction or free banking privileges because of the State Rights insistence on economy and conservative methods in public finance. Though in a numerical minority, State Rights leaders could force adjustment and compromise on this question by manipulation of Union votes from the upcountry which got no benefit from these projects.⁹⁷ During his administration Governor Lumpkin held that the state should build a railway from the coast to the mountains, though the Union legislature ignored his recommendations.⁹⁸ In 1836 the interests of every section of the state were merged in a proposal to construct at state expense the Western and Atlantic Railway from the Tennessee boundary southward to meet the lines of the chartered companies. Here again the State Rights members were able to block effective financing by throwing the proposal into the Central Bank-surplus revenue imbroglio. The railroad was given no appropriation, but was to receive funds "from Treasury." During 1837 Governor Schley, greatly in need of votes for re-election, pushed vigorously the preliminary survey and spent some time

⁹⁵ *Senate Journal* (1837), pp. 136-137; *Federal Union*, November 21, 28, 1837; *Georgia Journal*, December 5, 1837.

⁹⁶ *Macon Georgia Telegraph*, December 11, 1837.

⁹⁷ *Georgia Telegraph*, November 21, 1833, December 4, 1834, January 8, June 11, October 13, November 26, December 10, 1835, January 21, 1836; *Macon Georgia Telegraph*, August 25, December 22, 1836; E. M. Coulter, *Short History*, pp. 242-243; U. B. Phillips, *Georgia and State Rights*, pp. 141-142.

⁹⁸ Wilson Lumpkin, *op. cit.*, I, 137-138, 152.

actively supervising the work.⁹⁹ Schley was a member of the Board of Public Works, 1825-1826, and was genuinely interested in the building of a state railway. The State Rights party charged that Schley was really electioneering under the guise of an engineer. The publicity resulting from his interest in the project put the Western and Atlantic Railway before the people and changed the issue of internal improvement from its former sectional character into a question of state-wide importance. The obstructive tactics of the State Rights minority cannot be explained on any basis of party alignment on the issue of internal improvement at state expense. Leaders of the State Rights party never looked with equanimity on the expenditure of public funds; and when such expenditure was in the hands of a Union administration, they were bitter in their opposition, regardless of the purpose in view.

Nevertheless, the State Rights party found the state ready to accept in 1836 and 1837 the idea of a state railway which it had repudiated when proposed by George M. Troup and Wilson Lumpkin twelve years earlier. Again, however, party leaders grasped the reality of the political situation, but were unable to achieve party unity on a question that had not before been subject to party alignment. Gilmer recognized the trend of public opinion to railroads. He expressed a frank conversion from his former preference for rivers and turnpikes in his inaugural address. On the first day after the legislature was organized, it was moved by Thomas B. King, State Rights senator from Glynn County, to appoint a joint committee to investigate and report on the expediency of state aid to internal improvements.¹⁰⁰ King was made chairman of the committee, but the report to the legislature was in accord with Union ideas of credit and public finance. The committee recommended to the legislature the passage of a bill which would have provided for the incorporation of private companies and the appointment of a commission on internal improvements to engage in construction of public works on the credit of the state. Middle Georgia Unionists hoped that work might be begun immediately on the proceeds of a rapid expansion of state credit.¹⁰¹ A bill passed by the lower house provided for a system of railways similar to that recommended by Troup and Lumpkin in 1826. The bill was lost in the senate, however, and the state was forced to continue the puny efforts already initiated by Schley during the worst days of the panic of 1837.¹⁰² The *Georgia Journal* laid the blame for the failure at the door of the Union majority and asserted that the State Rights members gave their support to the

⁹⁹ *Georgia Telegraph*, December 10, 1835, January 21, 1836; *Federal Union*, August 22, 1837; *Macon Georgia Telegraph*, November 10, December 22, 1836; John C. Butler, *Historical Record of Macon and Central Georgia*, pp. 139-140.

¹⁰⁰ *Senate Journal* (1837), pp. 6, 34; *Macon Georgia Telegraph*, November 20, 1837.

¹⁰¹ *Federal Union*, December 12, 1837; *Macon Georgia Telegraph*, December 11, 1837.

¹⁰² *Macon Georgia Telegraph*, January 1, 1838; *House Journal* (1838), pp. 274-287.

bill. The Union party refused to accept responsibility for defeat of the bill and challenged Governor Gilmer to call an extra session of the legislature to consider internal improvements. State Rights leaders, however, insisted on economy during the period of economic depression, and Gilmer made no move to force the issue which his inaugural address had projected into the legislature.¹⁰³

The question of public education at state expense was less amenable to party arrangement in 1837 than that of internal improvements, though the democratic wing of the Union party was insistent that a public school law be passed. In response to this demand, the legislature of 1837 made the first serious attempt in the history of the state to provide a public school system. An act was passed which combined the academy fund and the poor school fund and added to them the interest on one-third of the surplus revenue granted by the Federal government. Five commissioners were to be elected by popular vote in each county. These commissioners had the authority to lay off school districts, administer schools, and expend funds entrusted to them for these purposes. The bill originated in the senate and was passed with almost no discussion in either house.¹⁰⁴ The State Rights members raised no objection because they recognized that the financial provisions of the bill would not endanger their cherished plan for reducing the expenses of the state government.¹⁰⁵

The caucus activities of the State Rights party in the legislature of 1837 dealt mainly with the nomination of a congressional ticket for the election of 1838. A convention was called, and twelve counties having no State Rights representative in the legislature sent delegates. All these twelve counties, except Jones and Crawford, were outside the "cotton kingdom" of central Georgia. The remainder of the fifty-eight counties represented were of the cotton-planting type and located in central Georgia. Christopher B. Strong was elected chairman, and the following men were nominated for Congress: Julius C. Alford, Edward J. Black, Walter T. Colquitt, Mark A. Cooper, William C. Dawson, Richard W. Habersham, Thomas B. King, Eugenius A. Nisbet, and Lott Warren of Sumter.¹⁰⁶ All these men except Cooper and Warren were 1836 nominees. Cooper had seen active service in the state legislature and had been prominent in the movement to organize the State Rights party. Warren, a former State Rights judge, had recently removed from middle Georgia.¹⁰⁷

In the campaign which followed, the State Rights party was united only on the principle of opposition to Van Buren. Political principles were forgotten, no semblance of a platform was issued, and each nominee ap-

¹⁰³ *Macon Georgia Telegraph*, January 22, 1838.

¹⁰⁴ *Acts of the General Assembly* (1837), pp. 94-99; *House Journal* (1837), p. 457.

¹⁰⁵ *Southern Recorder*, December 15, 1837.

¹⁰⁶ *Georgia Journal*, December 12, 26, 1837; *Georgia Messenger*, December 21, 1837; *Southern Recorder*, November 28, 1837.

¹⁰⁷ Herbert Fielder, *Life and Times of Joseph E. Brown*, p. 48.

pealed to his own following in his own way. The Union party, late in the campaign, tried to rally its forces in support of the sub-treasury plan and even nominated Henry G. Lamar of Bibb, a State Rights man, when he announced his agreement on that issue. Cooper, Colquitt, and Black announced their support of the sub-treasury plan and defended it as the true State Rights doctrine. Nisbet opposed the national bank, the sub-treasury plan, and the candidacy of both Van Buren and Clay for President in 1840. He agreed, however, to support any man whom the State Rights party should nominate.¹⁰⁸ Every State Rights nominee to Congress was elected and the Union majority in the state legislature was reduced to a very narrow margin. The Union party was also badly divided on the issues of internal improvements and banking and was forced to accept a compromise among rival party leaders in organizing the legislature.¹⁰⁹ Of the State Rights increase of slightly less than a score in the state legislature, twelve came from those remote counties which sent delegates to the nominating convention of 1837 in lieu of elected representatives in the legislature. The State Rights leaders seemed to be learning the fundamental lesson in Georgia politics that principles were convenient materials for building parties, but county organizations were more useful in winning elections.

In spite of the improvement in the fortunes of the State Rights party, the Union party still held crucial majorities in the legislature of 1838. Governor Gilmer reported that he had continued work on the state railway with borrowed funds because no market had been found for the bonds issued by the previous legislature. He recommended that new bonds be issued in a form which would be acceptable to British investors since better terms could be procured in Great Britain than in the United States. He assured the legislature that such a move would be wise because the sale of the bonds would prove a great impetus to direct trade with Great Britain. In order to complete its railway system, he contended, the state should extend credit to private companies to enable them to build branch roads. These sentiments on internal improvements were received with greater enthusiasm in Union ranks than in the State Rights party, where economy was still the ruling passion.¹¹⁰

The governor's stand on the question of the state's duty to aid banks was likewise explicit. Without direct reference to the Central Bank, he stated that banks should be sustained by the state as instruments of wealth and prosperity, but that they should never be allowed to engage in speculation. Neither should sound banking principles be violated by granting banking privileges to companies other than banks. This last was a thrust at the evasion of the restrictions on banking included in charters to rail-

¹⁰⁸ *Macon Georgia Telegraph*, July 23, August 6, 27, September 18, 25, 1838.

¹⁰⁹ *Ibid.*, November 13, 1838.

¹¹⁰ *Senate Journal* (1838), pp. 11-13; *Southern Recorder*, November 6, 1838; *Macon Georgia Telegraph*, November 13, 1838.

way companies. Finally, the State Rights dissatisfaction with the administration of the Central Bank was embodied in the dictum that the business of banking should never be concentrated in the hands of a few people. When these recommendations concerning state banking came up for consideration by the Union majority in the legislature, Union leaders shifted the issue to a discussion of the Van Buren policy in national finance. Almost simultaneously, Van Buren and John Forsyth were presented as candidates for President and Vice-President by a Union convention in Milledgeville on December 17, 1838. Union leaders prepared resolutions supporting the sub-treasury and discussed them at length in both houses. It appeared, however, that Union as well as State Rights ranks would be shattered on a vote, and no trial of strength was attempted.¹¹¹ The issue of a national bank was not a question of strict party cleavage in Georgia. As everybody agreed on slavery, so nearly everybody disagreed on principles of Federal banking.

Governor Gilmer took a firm stand on the question of reapportionment of representatives in the state legislature. He urged that measures should be taken to reduce the number of members in the legislature and to equalize representation among the various counties. The senate should be made "a smaller, more select, and stable body than at present."¹¹² The same general demand that reduction be accomplished was re-emphasized in the *Southern Recorder*, the official State Rights organ. Figures were presented which showed that reapportionment on the basis of the last state census would give over two hundred members to the lower house and ninety-three to the senate. Such bodies were declared too large for proper economy or legislative efficiency.¹¹³

The State Rights party, however, was forced to acquiesce in the plans of the Union majority for reapportionment of representation. A bill was passed which provided for a convention the following May to consider the question of reapportionment. Counties were to select delegates equal in number to their representation in both house and senate. This bill placed limitations on the power of the convention by asserting that each county should be given at least one representative, that the senate should contain no more than forty-six members, and that the principle of the Federal Ratio should not be disturbed. The convention was limited also in its activities by a section which required that members take an oath that they would not make any effort to change the fundamental law of the state except in the matter of representation.¹¹⁴

The State Rights leaders raised no party issue on the doubtful constitutionality of legislative restrictions on the power of a convention of the

¹¹¹ *Southern Recorder*, November 6, December 18, 1838; *Macon Georgia Telegraph*, January 1, 1839.

¹¹² *Senate Journal* (1838), pp. 14-15.

¹¹³ *Southern Recorder*, November 6, December 11, 1838.

¹¹⁴ *Acts of the General Assembly* (1838), pp. 73-75.

people and seemed to accept willingly the opportunity of going back to the voters on the question of a reform greatly needed in the state government.¹¹⁵ The election of delegates to the convention, however, resulted in an overwhelming majority of Union men and a determined State Rights minority. The convention began its deliberations in peace and harmony, with no opposition offered to the Union selection of James M. Wayne as presiding officer.¹¹⁶ Wayne had been a follower of George M. Troup in his early career, but had joined the Union forces in 1833 and was appointed to the bench of the Supreme Court of the United States by Andrew Jackson in 1835.

Immediately after the organization of the convention, its overwhelming Union majority became the object of bitter tactical opposition. A resolution censuring the legislature for presuming to prescribe an oath was withdrawn without a vote. In its place a resolution was passed denying the authority to prescribe an oath, but adopting the identical oath as the will of the convention. The Union majority next refused to procure from the governor a list of counties with the amount of taxes paid by each. On the next day the motion was called up for reconsideration by a Union delegate and passed.¹¹⁷

These shots from the battery of the State Rights minority were typical of the strategy of the opposition throughout the convention. No clearcut program was offered, and no minority report issued from the resolutions committee, though approximately one-third of its members were State Rights men. The method of the minority was to attack in piecemeal fashion vital phases of the majority report rather than to offer a rival plan. The plan offered in the report of the committee provided that representation in the lower house be based on the Federal Ratio, that each county have at least one representative, that those counties having a Federal population of at least 5,000 have one additional representative, that those counties having a representative population of 12,000 have two additional representatives, and that no county have more than three representatives. It was proposed that the senate be composed of forty-six members, one member to be elected from each of forty-six two-county districts. Since there were ninety-three counties the odd county was to be disposed of by placing three north Georgia counties, Chattooga, Dade, and Walker in a single district. Though this plan followed closely the lines laid down by the Union bill providing for the convention, it precipitated a division in majority ranks. On the same afternoon that the committee made its report, three substitute plans were offered, each providing for free white representation. James H. Starke of Butts, however, presented an amendment to the report around which ultimately gathered the State

¹¹⁵ *Southern Recorder*, March 26, 1839.

¹¹⁶ *Journal of the Convention to Reduce and Equalize the Representation of the General Assembly* (cited hereinafter as *Journal of Convention of 1839*), p. 8.

¹¹⁷ *Journal of Convention of 1839*, pp. 8-9, 14, 19-20.

Rights opposition.¹¹⁸ This amendment disregarded the limitations placed on the convention by the state legislature and provided that eighteen south Georgia counties and nine north Georgia counties be combined for representation into thirteen districts each having one representative in the lower house. In four of the nine pairs in South Georgia, doubtful or Union counties would have been joined to normally strong State Rights counties. Effingham and Screven were the only pair of State Rights counties joined in a single representative district. These two were bordered by State Rights counties in such fashion that absorption of a Union neighbor was virtually impossible. Of the remaining four districts one, Lee and Sumter, was doubtful, while three districts would have been made up of the Union counties of the piney-woods region from Early on the Chattahoochee to Telfair on the Ocmulgee. In addition, Starke's amendment proposed that the doubtful county of McIntosh be joined to the State Rights county of Liberty and the resulting district be given two representatives. In short, it was proposed to cut representation south of Macon in half and insure that the political complexion of those representatives would be predominantly State Rights.

Taking advantage of the Union division on the free white-Federal Ratio question,¹¹⁹ the State Rights leaders were able to keep this district amendment before the body for three and one-half days of debate. On Monday afternoon, May 14, the plan first offered by the official committee was reported with a minor change from the committee of the whole.¹²⁰ The following morning, while debate was still in progress, Starke offered his plan as a substitute for the report of the committee of the whole. On a test vote the Union party was defeated, when many of its members refrained from voting or supported Starke's amendment. General William B. Wofford, a prominent Union leader who came to the front in the support of Andrew Jackson, proposed to Starke that the three-fifths clause in his substitute be stricken out. This request was a proposal for a combination of the democratic wing of the Union party and the small liberal group in the State Rights party. When Starke granted Wofford's request, Seaborn Jones moved that the three-fifths clause be re-inserted. After some juggling as to parliamentary procedure, the three-fifths clause was re-inserted by an overwhelming majority.¹²¹ Many of Wofford's Union followers and all of his erstwhile State Rights allies were frightened at their own daring and took this first opportunity to return to a position more nearly in accord with the dominant economic interest of the state.

If the State Rights leaders had been willing to assume the leadership of a coalition of extremes, they might have gained control of the convention by trading free white representation for their scheme of assuring a

¹¹⁸ *Journal of Convention of 1839*, pp. 20-28, 31-32.

¹¹⁹ *Macon Georgia Telegraph*, May 21, 1839.

¹²⁰ *Journal of Convention of 1839*, p. 36. ¹²¹ *Ibid.*, pp. 39-44.

State Rights majority in the lower house. But such a bargain in pure political opportunism could never have been explained to the satisfaction of their slave-holding constituents; moreover, the shadow of Federal politics was heavy on the land, and the Federal Ratio was rightly regarded as the South's bulwark of strength in Federal politics. When the Starke substitute containing the three-fifths clause came to a final vote, State Rights support was virtually solid in its favor, and the "free-white" Unionists reverted to the majority as the better choice between the two parties. The district plan combined with the Federal Ratio was lost by a vote of 172 to 117.¹²² The State Rights demand for effective reduction in the total number of representatives was not granted because the leaders of the party coupled reduction with equalization of representation and further weakened their cause by disregarding the county as the unit of representation and attempting to seize for their party representation in traditionally Union territory. The county machines were dear to the hearts of leaders in both parties, and it is doubtful if any scheme could have been adopted which deprived any county of its representation. The plan finally adopted, May 16, was the same as that offered by the drafting committee except that 6,000 instead of 5,000 was the limit for counties of two representatives. When it had been demonstrated that the district plan could not be adopted, John M. Berrien and several other State Rights voters swung over to the Union majority to make the final vote almost two to one for the Union plan. In the fall election, however, the voters of the state rejected the plan by approximately the same ratio.¹²³ Though the State Rights leaders could not get equable reapportionment, they could prevent reduction without reapportionment.

On May 14, 1839, while the convention was in session, the State Rights leaders met to name a candidate for governor. Henry G. Lamar and William C. Dawson were prominent candidates for the honor. Charles Dougherty, though present at the convention, was absent from the party caucus when his name was presented. Conflicting claims to party honors were settled amicably, and the party leaders presented Dougherty for the second time as the unanimous choice of the party.¹²⁴ Dougherty laid down no platform. In his acceptance he dedicated himself to sustain "those principles, on which in my humble opinion, depend the preservation, in their purity of the political institutions of our State and Country."¹²⁵ The State Rights party made few claims as to the past record or the native ability of Dougherty, but offered him to the voters as an old-fashioned Republican who would guide the state by sound principles of honesty and good sense. Charles James McDonald was the Union nominee. As a member of the

¹²² *Journal of Convention of 1839*, pp. 53-55.

¹²³ *Ibid.*, p. 71; F. M. Green, *Constitutional Development*, pp. 237-239.

¹²⁴ *Southern Recorder*, May 14, 1839.

¹²⁵ *Ibid.*, June 11, 1839.

state legislature in 1830, McDonald had supported his party's program in opposing the extreme resolutions of censure on the Supreme Court passed by the Troup majority. On this slight basis the State Rights newspapers now described him as a Federalist who would allow the general government to set aside the criminal law of the state. Other charges against McDonald were that he believed in the constitutionality of tariff, accepted legislation against slavery in the District of Columbia, and opposed the United States Bank. The Union party conducted a successful campaign against Dougherty by getting friends of William C. Dawson and Henry G. Lamar, defeated candidates for the State Rights nomination, to vote for McDonald, by piling up great majorities in the democratic Cherokee country, and by proving to the satisfaction of many voters that Dougherty was in favor of repealing the whiskey license law. The last charge was vehemently denied by Dougherty's State Rights friends.¹²⁶ McDonald was elected by a majority small enough to justify the lament that defeat had come because of the adroitness of the opposition in fastening the odium of the agitation for repeal of the retail liquor license law in the State Rights candidate. Both houses of the legislature were Union by an overwhelming majority.¹²⁷

The State Rights party in the legislature of 1839 was too weak to force compromises on the issues of the day by its usual tactics of threatening to break the ranks of its opponents. Governor Gilmer recommended continuance of building the Western and Atlantic Railway even at the necessity of paying contractors in six per cent state bonds, since abandonment would mean a loss of nearly one and one-half millions of dollars already invested. The State Rights party leaders in the legislature, however, opposed continuance of building operations except to join the state road to the Hiawasse Railroad near Cross Plains in Murray County.¹²⁸ This was an attempt to prevent the Union party from reaping political benefit by completing the building of the state railway, though it was also in accordance with the current State Rights fervor for economy.

In his last message to the legislature, Gilmer reiterated his party's opposition to the current wasteful method of expending state funds for the education of its citizens. He pointed out the failure of the common school law of 1837 which had consolidated the academic and poor school funds and had provided for county commissions to handle the whole problem of administration of school funds. His only recommendation was that this law be either amended in administrative details or repealed out-

¹²⁶ *Macon Georgia Telegraph*, September 3, October 22, 1839; *Southern Recorder*, August 27, September 10, 17, October 15, 1839.

¹²⁷ *Southern Recorder*, November 5, 19, 1839; S. F. Miller, *op. cit.*, I, 267; H. A. Scamp, *op. cit.*, pp. 334-337.

¹²⁸ *Senate Journal* (1839), pp. 12-13, 32, 37, 100; *Southern Recorder*, December 3, 1839.

right.¹²⁹ Two years of financial stringency had killed the slight enthusiasm for a public school system: the Union legislature virtually agreed with the State Rights governor on the matter by providing in the general appropriation bill that money due the common school fund for 1839 be paid out of "moneys in the Treasury not otherwise appropriated." It also discontinued the annual appropriation of \$6,000 to Franklin College, despite the strenuous opposition of three young men destined to play important roles in Georgia politics. They were Charles Jones Jenkins, Absalom Harris Chappell, and Alexander Hamilton Stephens.¹³⁰

On the question of public finance and banking, the State Rights minority in 1839 was vocal and active, but impotent. The Union party was determined to take steps to relieve the necessities of the people. The attempt to achieve this objective was embodied in four changes in the currency and credit machinery of the state: (1) all banks were required to make a semi-annual report to the governor, specifying amounts due to each bank by its stockholders; (2) the stock owned by the state in several banks was to be sold and the funds transferred to the Central Bank; (3) the directors of the Central Bank were instructed to refuse specie payment to all banks not paying in specie, and the governor was advised by a senate resolution to refuse acceptance for payment of public dues the bills of any bank which refused to allow an inspection of its books by agents of the state; and, (4) the Central Bank was authorized to put into circulation on the credit of the state an amount of bills double the capital of the bank.¹³¹

Andrew J. Miller of Richmond directed the fight in the senate against the bills embodying these principles. He and his State Rights colleagues resorted to debate, postponement, and amendments in a futile effort to eliminate the wild-cat elements or to oppose and obstruct passage.¹³² In the lower house, George Walker Crawford of Richmond was the State Rights leader of the "hard money" forces. After the inflationary legislation was passed, Crawford laid down the basis for a future reconsideration of the subject by circulating a protest which was signed by fifty-four State Rights members of the lower house. This protest recited the essential error in the principle that people should rely on the government for pecuniary relief. It lamented the desertion of the metallic standard for coinage; it denounced the inclusion of \$200,000 of worthless state bonds in the capital of the Central Bank as extremely unwise and unsafe; and it severely criticized the sale of the state's stock in privately-owned banks.¹³³

¹²⁹ *Senate Journal* (1839), pp. 20-22; *Macon Georgia Telegraph*, November 12, 1839; *Southern Recorder*, February 13, 1838.

¹³⁰ *Acts of the General Assembly* (1839), p. 23; *Macon Georgia Telegraph*, December 10, 1839.

¹³¹ *Acts of the General Assembly* (1839), pp. 26-29; *Senate Journal* (1839), pp. 190, 283; *Southern Recorder*, December 10, 1839.

¹³² *Senate Journal* (1839), pp. 109, 121-125.

¹³³ *Southern Recorder*, December 31, 1839.

The formation of the Union and State Rights parties marked the beginning of an era of intense party rivalry in Georgia politics. During the independent existence of the State Rights party, 1833-1839, it was in a numerical minority and did not win an unqualified victory at the polls. The reasons for this lack of practical success revolved around the popularity of Andrew Jackson among the voters of Georgia, who were fully as "Western" as "Southern" in social and political ideals during the eighteen-thirties. The late opening of west Georgia to settlement and the rapid transformation of that area into a commercial planting section brought forth in Georgia all the forces of conflict between an aristocracy of social position and talent and a democracy of high hopes and raw, uncultivated human nature. As a practical consequence, local organization of political sentiment became the touchstone of political success. The State Rights party with its platforms and academic resolutions was a cry from the past that had little appeal to the stern realists who strove for the things of substance in the red hills of Georgia. Many Troup leaders, such as James M. Wayne, Wilson Lumpkin, and John Forsyth, found full scope for the exercise of their talents in organizing the acquisitive, militant democracy in the Union party. The State Rights party, however, was never able entirely to forget its debt to the past, its reverence for the things of the intellect, and its high ideal of public service. This period in the history of the Troup-State Rights-Whig party was, therefore, a conflict between political idealism and uncouth reality. State Rights leaders adopted the political methods of the new democracy not from conviction but from necessity and in the belief that questionable means were justified in the redemption of the state from the rule of unbridled democracy.

The favorable reaction in Georgia to the compromise tariff of 1833 and Jackson's war on the Second Bank blocked the State Rights effort to arouse anti-Jackson sentiment in Georgia. Whereupon, the party turned to criticism of individuals of the party in power in both state and Federal governments. Since the sane and intelligent leadership of Wilson Lumpkin as governor, 1831-1835, gave his administration a measure of immunity from justified criticism, Martin Van Buren and Richard M. Johnson became the first victims of smear tactics. The Union party retaliated in similar fashion, and the net result was that every man prominent in Georgia politics during the thirties was forced to defend himself against mud-slinging or else engage in the dirty game on his own account. The administration of William Schley, 1835-1837, broke down under the double impact of organized and vengeful criticism and the panic of 1837, which was aggravated in Georgia by easy banking laws and encouragement of credit expansion by the Central Bank of Georgia. With the resolute Gilmer in the governor's chair and a militant State Rights minority in the legislature, 1837-1839, the State Rights party shifted somewhat from its tactics of bitter, vindictive criticism to an emphasis on economy and

good business methods in state expenditure. On this basis the Central Bank was shorn of much of its power, the Western and Atlantic Railway was forced to continue building on its own slender credit, and the beginning of a state school system was condemned to a nearly and ignoble failure.

The gubernatorial election of 1839 was a complete victory of grim reality over political idealism, with the State Rights party insisting on economy as the best course for business and the Union party demanding immediate state action for the relief of economic distress. The Unionists gained control of the constitutional convention in May and elected their nominee for governor, but they were unable, because of State Rights opposition, to adopt their free-white plan of government or to secure the assumption by the state of relief of overburdened citizens. The resulting conflict between the State Rights program of good business methods in state government and the Union plan of direct relief, the revival of interest in Federal issues, and the integration of the State Rights party into the national Whig party are the main points of interest in the next two chapters of this work.

CHAPTER V

ALLIANCE WITH THE NATIONAL WHIG PARTY, 1839-1844

The year 1839 was as important in the history of national politics in Georgia as the year 1834 was in the history of parties within the state. Before 1839 party lines had been largely fixed by local issues, personal followings, economic factors, and sectional alignments. In presidential elections the resulting blocs of votes were thrown to one candidate or another by party leaders. In 1839 national issues and candidates were carried to Georgia voters in a stirring pre-election campaign. Parties of national scope were still in their infancy, and State Rights leaders in Georgia were more inclined to inspect party leaders and probable nominees than to examine the credentials or views of national parties. Martin Van Buren, the most likely nominee of the Democratic party, was highly distasteful to State Rights men because he owed his rise in national politics to his alliance with Andrew Jackson, had supported the high tariff, and was reputedly in favor of internal improvements by the Federal government. The feeling of State Rights leaders was so bitter against Van Buren that they accepted temporarily the name "Anti-Van Buren party," which the Unionists fastened on them.¹

Henry Clay, the most logical candidate of the Whig party, was extremely unpopular because Georgians already considered the Missouri Compromise of 1820 as an admission of the power of Congress over slavery in the territories and held Clay responsible for the adoption of that measure. The leaders of the State Rights party dared not support Clay, because they feared he would not be able to defeat Van Buren, who had fallen heir to some of Jackson's popularity in Georgia.² Alexander H. Stephens, in an Independence Day speech at Crawfordville, expressed the State Rights attitude toward national parties when he said: "The one [Democratic] is a known enemy, the other a traitor to our cause."³ The older leaders of the party tried to avoid such strong statements, but made clear their desire for independence of action until a suitable candidate for the presidency should be offered by one of the national parties. In mid-summer the *Southern Recorder* placed at its masthead the name of George M. Troup as the most desirable State Rights candidate for the presidency. Troup was in retirement and made no statement of his candidacy. His nomination was professedly a desperate effort of the State Rights party to rally its support and defeat the Van Buren ticket at any cost.⁴

¹ *Southern Recorder*, July 9, 23, 1839; *Macon Georgia Telegraph*, August 6, 1839.

² *Southern Recorder*, May 7, 28, 1839.

³ *Ibid.*, July 16, 1839; see also Richard Malcolm Johnston and William Hand Browne, *Life of Alexander H. Stephens*, p. 137.

⁴ *Southern Recorder*, June 25, July 16, 23, August 6, 1839.

In this situation the State Rights party was forced to realign its strength on the basis of issues in national politics. The first open evidence of a break in the leadership of the party came in the early days of the Twenty-sixth Congress. In the vote on the government printing contract Mark A. Cooper and Edward J. Black, State Rights advocate of the sub-treasury, supported Blair and Rives, publishers of the *Democratic Globe*. Whereupon, State Rights papers published a series of abusive attacks on these two men. Cooper asserted that the same papers denied him the privilege of replying in their columns. He also announced his desertion of the State Rights party by publication of a letter in a Union paper.⁵

In April Cooper issued a long letter announcing his alliance with Van Buren and the Democrats. His statement declared:

The Whigs have no principle or rule in common that I have discovered except advocacy of a bank and opposition to the Sub-Treasury. This party is a coalition of all the opponents to the present administration, professedly having reference to no given principles of action save that just named.

Cooper asserted that federalism and high tariff were dominant principles in the party, and that most of the abolitionists in Washington were Whigs. He further confessed his support for Van Buren and the independent treasury plan and closed his open letter with the challenge, "If the State Rights party is what it has been, I have not misrepresented its policy. If it is different, I am unfit to be its representative."⁶ These were almost the exact words that George M. Troup used in resigning his seat in the United States Senate in 1833. They were resurrected for the purpose of appealing to the Union party, which had assumed in the national bank controversy the ground occupied by Troup in the Creek land dispute with the Federal government.⁷ This was a determination to do everything possible to prevent undesirable legislation and, failing that, to seek every possible means short of revolution to obstruct the enforcement of such legislation. That the State Rights party was beginning to veer away from this stand is indicated by the publication and denunciation of Cooper's letter in the State Rights newspapers.

As if in reply to Cooper's challenge, State Rights leaders offered William Henry Harrison, nominated by the national Whig party in December, as a candidate for President. Harrison meetings were held in the counties of Newton, Monroe, Butts, Liberty, and Morgan, and in the cities of Macon, Columbus, and Augusta.⁸ In a public letter from Washington,

⁵ *Southern Recorder*, February 25, 1840; *Macon Georgia Telegraph*, March 10, 24, 1840.

⁶ *Southern Recorder*, April 7, 1840; see also *Macon Georgia Telegraph*, April 7, 1840.

⁷ *Macon Georgia Telegraph*, March 24, 1840.

⁸ Walter Terry Colquitt, *Circular to the People of Georgia, and Especially to the State Rights Party*, p. 1; *Southern Recorder*, May 12, 19, 26, 1840; *Macon Georgia Telegraph*, April 28, 1840; U. B. Phillips, *Robert Toombs*, pp. 30-32.

William C. Dawson endorsed Harrison in language more suited to the palmy days of republicanism than to the dawning era of democracy. "Go for General Harrison and John Tyler—Virginians by birth, southerners by birth, education, sympathy—both intelligent and honest, high-minded, noble and patriotic." Joel Crawford presented a glowing description of Harrison as he appeared in the Fifteenth and Sixteenth Congresses. "In all the traits of his character, General Harrison is a Virginian of the old school—plain in dress, frank and self-possessed, but never ostentatious in manner."⁹ Happy in the discovery of Harrison, the *Southern Recorder* withdrew the name of Troup and joined the clamor for Tippecanoe. Unionists feared the potential strength of a military hero as a candidate in Georgia and published accounts of the War of 1812 which branded Harrison as "a disgraced soldier and confirmed Abolitionist."¹⁰

When Walter T. Colquitt made ready his announcement concerning the new alignment of party forces, the State Rights editors refused to publish his statement.¹¹ Whereupon, Colquitt issued a pamphlet setting forth in strong, clear light a keen analysis of the crisis faced by the State Rights party and his own reaction to that crisis. In this pamphlet, which was immediately published in Union papers, Colquitt pointed out that the boom for Harrison already instituted by Georgia State Rights leaders could mean only that the State Rights party would ally itself with the national Whigs. Such an alliance would put the party in a position of supporting the very federalism that had always been the adversary of true state rights republicanism.¹² Moreover, a true follower of the State Rights party could not support Harrison for several reasons other than his connection with the party of the United States Bank, the protective tariff, internal improvements, and the whole national concept of government. Harrison was a member of the old Federalist party, had supported both John and John Quincy Adams, was unfriendly to slavery, and had once been a member of an abolition society. If he should be nominated by the State Rights party in Georgia, it would mean the end of the party.¹³

In June Mark A. Cooper, Walter T. Colquitt, and Edward J. Black issued a joint statement of their candidates for re-election to Congress. They based their candidacies on opposition to a United States bank and loyalty to old time State Rights principles.¹⁴ On July 4 these three men were given places on a reorganized Union ticket. Places were also made on the Union electoral ticket for Seaborn Jones, General Edward Harden, and James C. Anderson.¹⁵ These men had been active in State Rights

⁹ *Southern Recorder*, May 5, 1840; see also U. B. Phillips, *Robert Toombs*, p. 30-31.

¹⁰ *Macon Georgia Telegraph*, May 5, 1840.

¹¹ *Southern Recorder*, May 19, 1840.

¹² W. T. Colquitt, *op. cit.*, p. 1; *Macon Georgia Telegraph*, May 26, 1840.

¹³ W. T. Colquitt, *op. cit.*, pp. 1, 7, 13-16.

¹⁴ *Southern Recorder*, June 23, 1840; *Macon Georgia Telegraph*, June 9, 1840.

¹⁵ *Southern Recorder*, July 7, 1840.

leadership and their change of party attachment was representative of many State Rights leaders who deserted the party rather than support Harrison and a United States bank.

The State Rights or "Anti-Van Buren Convention" of 1840 was held at Milledgeville, June 1-2. Joel Crawford was named temporary chairman. John M. Berrien was unanimously chosen presiding officer, and a slate of electors was selected and instructed to vote for William Henry Harrison and John Tyler.¹⁶ Prominent leaders on the electoral ticket were George R. Gilmer, General Duncan L. Clinch of Camden, Charles Dougherty, Joel Crawford, Seaton Grantland of Baldwin, and Christopher B. Strong. William C. Dawson, Eugenius A. Nisbet, Julius C. Alford, Richard W. Habersham, Thomas B. King, and Lott Warren were renominated for Congress. Roger L. Gamble, James A. Meriwether, and Thomas F. Foster were named in place of the apostates Black, Colquitt, and Cooper. This convention decided to hold a general state convention at Macon the second Thursday in August.¹⁷

This grand ratifying convention at Macon, August 13-14, 1840, was the high point of the "log cabin and hard cider" campaign in Georgia. Log cabins with cider barrels forming chimneys and doors decorated with strings of red pepper were drawn by teams of mules and horses into Macon and were used as headquarters or sleeping quarters for the various county Tippecanoe clubs. The editor of the local Union organ estimated the total attendance at 11,700, including 1,000 Negro servants and "1,200 females of one sort and another." The first delegation arrived from Troup and Coweta, amounting to three hundred men, well mounted and riding two abreast, preceded by a log cabin and band. The Bibb County delegation numbered five hundred and carried three banners symbolic of the democratic simplicity of Harrison and the determination to "Teach Palace Slaves to Respect Log Cabins." As county delegations arrived, they were greeted with a salvo of artillery and assigned places in the procession by a grand marshal and twelve assistants. Elias Beall, chairman of the Bibb County Tippecanoe Club, called the meeting to order, John M. Berrien was made permanent chairman, and William C. Preston of South Carolina spoke for two hours to those of the thousands who could get within range of his voice. The procession then formed and proceeded to a large warehouse on Second Street where thirty tables, each eighty feet long were soon cleared of their burden of barbecued meats and other delicacies. After dinner the crowd broke into five divisions and was addressed by orators from Georgia, Alabama, and South Carolina. Among the Georgians were Julius C. Alford, Robert Toombs, Andrew J. Miller, Roger L. Gamble, Christopher B. Strong, Absalom H. Chappell, Eugenius A. Nisbet, and Washington Poe.¹⁸

¹⁶ Arthur Charles Cole, *The Whig Party in the South*, p. 60.

¹⁷ *Southern Recorder*, June 9, 1840.

¹⁸ J. C. Butler, *op. cit.*, pp. 154-156; *Macon Georgia Telegraph*, August 18, 1840.

The following day, August 14, the assemblage listened to another address of one and one-half hours in length by Preston and then adopted a series of resolutions. The first, declaring opposition to Van Buren and endorsement of Harrison, was introduced by Chappell. Amendments were offered by Toombs and Strong. Toombs' amendment asserted that the ends of the State Rights party were more important than the means and extended "a cordial invitation to our countrymen of the Union party to unite with us in the deliverance of our common country from the hands of the spoilers." Strong's amendment expressed approval of the "faithful six" in Congress and promised all the State Rights nominees every effort for re-election. "Judge Berrien then delivered a closing address and the convention adjourned amidst the wildest enthusiasm."¹⁹

The first point of significance in the campaign of 1840 is that the candidacy of Harrison furnished the State Rights party in Georgia an opportunity to avoid supporting Clay in opposition to Van Buren. The mention of Troup as a favorite son was useful in holding party lines intact until the proper cue should be given by party leaders at Washington. The State Rights delegation at Washington, except for Colquitt, Cooper, and Black, was enthusiastic for Harrison. The unpopularity of Van Buren was the strongest factor in determining the course of state leaders. Alexander H. Stephens frankly stated that he was not pleased with Harrison's federalism, but preferred Harrison to Van Buren. Stephens was as active in the campaign as his health would permit, but the Union charge of Federalism against Harrison seemed to inhibit his customary absorption in the campaign. During the campaign, he pondered deeply on the fundamentals of the Federal system. These musings he confided to his brother: "With Hamilton's notions of government I do not quite agree . . . he was truly a great man, but his theories did not suit the genius of our institutions."²⁰

So far as the State Rights party was concerned, the campaign of 1840 was the beginning of the practice of "availability" for presidential candidates. The second factor of interest in the Harrison campaign in Georgia is the metamorphosis of the General's character in the hands of the State Rights leaders. He appeared in April as a dignified, cultured gentleman of the old school, removed by breeding and training from the hue and cry of democratic politics. A month later he had become "a venerable patriot, who has done good service both in the late and the revolutionary wars; service which surely deserves a very different return than the unjust and malignant aspersions which he has received at the hands of the partizans of the present rotten Administration of the Federal Government." A campaign biography gave newspaper readers in Georgia an idea of Harrison's

¹⁹ J. C. Butler, *op. cit.*, pp. 157-158; see also *Southern Recorder*, August 18, 25, 1840; A. C. Cole, *op. cit.*, p. 60.

²⁰ A. H. Stephens to Linton Stephens, Crawfordville, August 2, 1840, James D. Vaddell, *A Biographical Sketch of Linton Stephens*, p. 28; see also R. M. Johnston and W. H. Brown, *op. cit.*, p. 140.

mental capacities, but emphasized the human kindliness of a warm-hearted old soldier who rejoiced at the opportunity to render aid to a former comrade-at-arms who had fallen on evil days. This story and others amplified at numerous county meetings rapidly brought the colonial gentleman from his patrician setting down to the level of the unlearned masses in Georgia.²¹ The metamorphosis was completed at the Macon convention where Julius C. Alford painted a word picture of a simple old man at a plow. Upon inquiry as to the whereabouts of the horse, Alford's hearers made the welkin ring with their shouts at the reply that the old hero had just given his last animal to a poor Methodist preacher. State Rights leaders confidently asserted that the people were aroused to a spirit of reform and had taken the election from the hands of the politicians. In support of this assertion, reports came from the remote sections of the state that voters hitherto supporting the Union party were being drawn into the State Rights fold by the magnetism of Tippecanoe's popularity with the common people.²²

The Union spokesmen at first responded to the sound and fury by pointing out that the Whigs offered not even a hope of improving the critical economic situation. Failing to stir any interest in this issue, they made a belated effort to meet the enemy on his own ground. They pointed out that the hard cider of the "Tips" would become vinegar before the inauguration of another president. They also drove home the "disgraced soldier" argument by extended accounts of unheroic events in the military career of Harrison.²³

Issues counted for little in the 1840 campaign. An attempted reply to Colquitt's circular by "A State Rights Man of 1825" merely denied that Harrison was a Federalist or an abolitionist or that he had supported the Sedition Laws. In the remaining columns of a long article, "A State Rights Man of 1825" heaped abuse on the tyranny, corruption, and lack of patriotism in the Jackson-Van Buren administration and sang the praises of the simple virtues and noble devotion exemplified in the life of Harrison. Other editorial effusions, a published address by "the faithful six" candidates for Congress, and an address by the central committee at the Milledgeville convention merely re-stated the contentions of "A State Rights Man of 1825" and added volume to the arguments without strengthening their appeal to intelligence.²⁴ Some voters who were swept in neither the one nor the other of the rival camps by the current fervor and fury may have been influenced by a Harrison letter published in June 1840. Written to John M. Berrien four years earlier, it set forth views acceptable to the State Rights party on the issues of congressional control

²¹ *Southern Recorder*, May 12, 26, July 14, 21, August 4, 1840; *Macon Georgia Telegraph*, August 19, 1840.

²² *Southern Recorder*, August 11, 18, July 21, 1840.

²³ *Macon Georgia Telegraph*, June 2, August 25, 1840.

²⁴ *Southern Recorder*, June 9, 16, 23, September 8, 15, 22, 1840.

of slavery, the Missouri Compromise, and the appointing power of the President. According to the letter, Harrison did not think that Congress could interfere with slavery in the states or in the District of Columbia except on specific application of states desiring changes. He wished to see the Missouri Compromise carried out "according to its spirit and intention." As to the spoils system, it was Harrison's opinion that the appointing power of the President "should be used with a single eye to the public advantage, and not to promote the interest of a party."²⁵

The "log cabin and hard cider" campaign was an eminent success for the State Rights party in Georgia. Many voted for Harrison because they admired the man; others voted for Harrison as an expression of resentment against Van Buren and the Democratic administration; while undoubtedly the great mass of Harrison's supporters in Georgia were swept into the mass enthusiasm for the hero of Tippecanoe. In the gubernatorial contest of 1839, Dougherty had been defeated by nearly two thousand votes.²⁶ The State Rights electoral ticket was successful in 1840 by an average majority of over eight thousand. Except for Roger Gamble, the entire State Rights congressional group was successful. Even in the Cherokee stronghold, the Union majority of 1839 was reduced by five hundred votes, in spite of the influence of Wilson Lumpkin.²⁷ Walter T. Colquitt, the only successful Union candidate, resigned, and Hines Holt, Jr. of Muscogee was later nominated by the State Rights party and elected in his stead.²⁸

The State Rights managers were careful to use the rising tide of popularity for Harrison to good effect in the election of members of the state legislature. They pointed out that the legislature of 1840 would have the duty of electing a United States Senator and that a State Rights majority in the legislature was needed to assure Georgia a place "on the side of reform, and the true interest of the country."²⁹ The state senate, with a State Rights majority of five votes, elected Thomas Stocks of Greene president. Charles J. Jenkins of Richmond was elected speaker of the lower house by a majority of twenty-six. John M. Berrien received the solid support of the State Rights members and was elected to the Senate of the United States by a vote of 153 to 117.³⁰ These fruits of the victory at the polls were garnered amid charges from the Union party of fraudulent voting in the election and demands that the "reform" legislature denote its sincerity by removing the evils of the state government. Specific reforms

²⁵ W. H. Harrison to J. M. Berrien, November 4, 1836, *Southern Recorder*, June 30, 1840.

²⁶ S. F. Miller, *op. cit.*, I, 267.

²⁷ *Southern Recorder*, October 20, November 24, 1840.

²⁸ *Ibid.*, January 12, 1841; Minutes Executive Department, January 23, 1841.

²⁹ *Southern Recorder*, July 21, August 18, September 29, 1840; *Macon Georgia Telegraph*, September 1, 1840.

³⁰ *Senate Journal* (1840), p. 165; *Southern Recorder*, November 3, December 8, 1840.

needed were the reduction of the legislature, the establishment of a state supreme court, relief from economic distress by changes in the system of currency and banking, a reorganization of the militia, and improvement of the state penitentiary.³¹

Without regard to Union ideas of reform, however, the members of the majority in the legislature set to work to fulfill the State Rights pledge to bring order into the state's finances and to raise the level of public credit. The financial measures of the Union legislatures had brought a host of applications for relief to the governor's office but had failed to set up effective machinery to raise funds.³² Governor McDonald wished to carry out the 1839 campaign promise of financial relief. In a special message to the legislature he set forth the need of Georgia citizens and suggested that the legislature sell bonds in sufficient quantity to redeem Central Bank bills and to issue direct relief in the form of loans to citizens.³³ Robert Toombs of Wilkes and George W. Crawford in the lower house led the opposition to McDonald's plan. Their chief arguments were that it was wrong in principle for the state to pledge its credit for the benefit of a part of its population and that public credit should be used for public purposes only. Aside from the question of principle, they pointed out that the state's bonds were selling at a discount and that the state was heavily involved in unwise issues of Central Bank bills. These things, they held, made it inadvisable for the state to increase its indebtedness.³⁴ The State Rights party in the legislature worked on the assumption that the best form of relief the state could offer its citizens was legislation which would reduce taxes, set its own finances in order, furnish a safe currency, and insure a sound banking system.³⁵ These ideals were reflected in the tax law of 1840. The property tax levied by the Union legislature of 1838 was repealed, and state revenue was made dependent on a high levy on bank stock, brokerage and trust fees, and insurance. The levy on bank stock was not an expression of resentment against banks in general. During the ascendancy of the Union party in the thirties, however, control of most of the banks in the state had passed into the hands of Union partisans.³⁶ The State Rights party simply offered to agrarian Georgia a tax system characterized by a tender regard for real property as a foil to the Union policy of cheap money and easy credit.

The principal questions of state finance in 1840 were concerned with the Western and Atlantic Railway and the Central Bank. The demand of the State Rights minority in 1839 for suspension of work on the Western and

³¹ *Macon Georgia Telegraph*, November 10, 17, December 1, 1840.

³² Minutes Executive Department, March 22, 1839.

³³ *Macon Georgia Telegraph*, December 22, 1840.

³⁴ *Senate Journal* (1840), pp. 250-251; *House Journal* (1840), pp. 424-427; Pleasant Alexander Stovall, *Robert Toombs: Statesman, Speaker, Soldier, Sage*, pp. 34-35.

³⁵ *Southern Recorder*, November 3, 1840.

³⁶ *Acts of the General Assembly* (1840), pp. 175-176; *Macon Georgia Telegraph*, January 12, 1841; *Southern Recorder*, August 21, 1839.

Atlantic railroad was reversed by the State Rights majority in the legislature of 1840. Active continuation of work was insured by an act requiring one of the three railroad commissioners always to remain on the road to superintend the work of engineers and contractors. The Central Bank was ordered to pay "in current funds" the scrip already issued by the commissioners of the Western and Atlantic for operating expenses.³⁷ The inflationary measure of 1839 was repealed, and the governor was ordered to redeem Central Bank bills up to a total of \$1,000,000 in eight per cent state bonds. All the assets of the Central Bank and the credit of the state were pledged in payment of these bonds. The directors of the Central Bank were ordered to sell stock in the Bank of the State and in the Bank of Augusta at a discount of not more than ten per cent to pay off the state's most pressing debts. These stocks were to be sold entirely and their proceeds used to reduce the state debt, "as soon as par value can be got for them." All funds not otherwise appropriated were to be placed by the directors of the Central Bank in a sinking fund, of which an amount up to \$75,000 annually was to be applied to the interest and principal of the state debt. Governor McDonald's relief message and the Union demand for direct relief were ignored, to the great disgust and anger of the Union opposition.³⁸ These measures reflected in about equal degree the State Rights devotion to conservative finances and the determination of State Rights party leaders to curb the financial power of the executive department, still under control of the Fort-Schley clique in the Union party.

The State Rights currency bill called for resumption of specie payment by February 1, 1841. In the senate an attempt was made to delay resumption until July 1, 1841. This was opposed by State Rights leaders on the ground that sufficient time would not elapse after July 1 to eliminate worthless bills before sale of crops would begin.³⁹ The bill provided that the governor should require resumption by February 1, 1841. In case of non-compliance by any bank the governor was required

. . . to cause judicial proceeding to be instituted forthwith against such defaulting bank in the Superior Court of the county where the same is located, to the end that the charter of such bank may be declared as forfeited and annulled, and that the assets of the same be immediately placed into the hands of a receiver.⁴⁰

Bills of defaulting banks were not to be received by the state treasurer or by the Central Bank. The Central Bank was exempted from this latter penalty, as its bills were receivable in payment of these and other debts to the state. This proved to be extremely small compensation for the staggering burden of the state debt placed on the Central Bank.⁴¹

³⁷ *Acts of the General Assembly* (1840), pp. 155, 195.

³⁸ *Acts of the General Assembly* (1840), pp. 22, 150-151; *Macon Georgia Telegraph*, January 12, 19, 1841.

³⁹ *Senate Journal* (1840), pp. 184-185; *Southern Recorder*, December 8, 1840.

⁴⁰ *Acts of the General Assembly* (1840), p. 26.

⁴¹ *Southern Recorder*, December 29, 1840.

Legislation in 1840 on public schools and the penitentiary reflected the conservative view of the state's responsibility to social institutions. These institutions were regarded by the State Rights party primarily as parts of the state's financial burden rather than agencies for rendering services to the people. The State Rights legislature repealed the common school law of 1837 and restored the old poor school fund for the aid of charity schools in the counties. A loan was granted to the penitentiary for the purpose of paying the institution's outstanding indebtedness. Rules were revised to provide for solitary confinement and as many hours of hard labor as the length of the day permitted. Beginning March 1, 1841, the institution was to be placed on a paying basis by confining the labor of inmates exclusively to manufacturing.⁴²

The net result of the financial legislation in 1840 was to relieve the state of all immediate demands except the interest on the debt and the payment of Western and Atlantic scrip. The never-failing optimism of the age emboldened practical men of affairs to postpone the day of reckoning in the belief that another year and another crop would bring better conditions and stable public credit. The editor of the *Southern Recorder* was frankly skeptical concerning the proposed sale of state bonds and the ability of the Central Bank to carry the load imposed on it.⁴³ Shortly after the initiation of efforts to force the resumption of specie payment, that paper made a forceful attack on the financial legislation of 1840 in the guise of an ordinary citizen's portrayal of the plight of Georgia. A certain "Uncle Ben" wrote for the editor a very concise and neat description of the financial situation. It reads as follows:

The banks . . . dare not issue their notes, because they will be returned on them in one week thereafter; they have to redeem them in specie or checks on the north; their specie has mostly been exhausted—there is no cotton to answer the purpose of specie.⁴⁴

The year 1841 brought the double tragedy of short crop and low price; nature and society seemed to many "Uncle Ben's" in a conspiracy to make the farmer's life a difficult one.⁴⁵

This was one contingency not provided for in the financial system set up by the State Rights majority of 1840. But political campaigns were one crop that never failed in Georgia. Planted in the yearly legislatures, nurtured through raw weeks of spring by loyal editors, they always appeared in perfect stands about April or May and usually brought forth a plentiful harvest of issues for the succeeding legislature to begin the cycle again. On December 17, 1840, the legislative caucus nominated William C. Dawson as the State Rights candidate for governor. The nomination of

⁴² *Acts of the General Assembly* (1840), pp. 18, 61-64, 141-147.

⁴³ *Southern Recorder*, December 29, 1840.

⁴⁴ *Ibid.*, April 13, 1841.

⁴⁵ J. C. Butler, *op. cit.*, p. 159.

Dawson was in violation of the usual custom of nominating for governor a former congressional candidate whose total vote indicated strength over the entire state, since his vote in 1840 was the second lowest of the State Rights nominees. The party leaders seemed to look upon nomination as assurance of election and named the man with a long record of honorable service.⁴⁶

In the subsequent campaign, political scribblers turned to economics. The Union party launched an early and vigorous offensive against the resumption of specie payment and the contraction of the currency as provided by the legislation of 1840. The State Rights organ denied the charge that these things had brought hard times in Georgia by pointing out that the Union-Van Buren party had been in power for eight years in Georgia and that Governor McDonald, renominated by the Union party, had recommended resumption of specie payment and contraction of the currency. The Union party, however, appealed to the electorate on the basis of Governor McDonald's recommendation for direct relief which the State Rights party had defeated in 1840. Union leaders also lampooned Dawson for his tacit support in Congress of Whig efforts to revive the Bank of the United States by contrasting his silence there with his former brave resolutions against the National Bank in the state legislature.⁴⁷ They pressed all these arguments so successfully "that the people are plainly given to understand, that the anticipated short crop is a strong reason for them to support at the present election, the Van Buren party."⁴⁸

These arguments struck a popular chord in Georgia, and Governor McDonald was triumphantly re-elected along with a strong Union majority in both houses.⁴⁹ The legislature met in a determined mood for economy of state expenditures and inflation of currency and credit. The State Rights minority accepted Union leadership on the issue of economy, but denied that inflation was the proper means of bringing financial relief to the state or its citizens. A law providing for suspension of building the Western and Atlantic Railway was passed with very little opposition. Likewise, the annual grant to Franklin College was again omitted from the appropriations bill, and higher education in Georgia seemed to be deserted by former friends and foes alike.⁵⁰ The State Rights minority, however, opposed all measures of inflation or credit expansion and forced important compromises on these issues. The State Rights demand for contraction of Central Bank currency was not met, but the issuance of bills was restricted to \$308,000 in denominations of one and two dollars. A bill restoring the capital of the Central Bank to the level of 1839 was

⁴⁶ *Southern Recorder*, October 20, December 22, 1840, April 6, May 25, 1841.

⁴⁷ *Ibid.*, May 4, June 1, 8, 22, 1841; *Macon Georgia Telegraph*, February 16, 1841.

⁴⁸ *Southern Recorder*, September 28, 1841.

⁴⁹ *Ibid.*, October 12, November 9, 1841; P. A. Stovall, *op. cit.*, p. 37.

⁵⁰ *Acts of the General Assembly* (1841), pp. 84, 172; *Macon Georgia Telegraph*, November 9, 16, 1841; E. M. Coulter, *College Life*, p. 233.

passed only after the addition of a section providing that no loans would be extended by the Central Bank until its bills were at par value. Finally, the Central Bank was ordered to pay the interest on the public debt, and its exemption from the specie requirement of the 1840 resumption law was withdrawn.⁵¹ "Relief" of the character promised in the gubernatorial campaign was not achieved because State Rights leaders were able to draw nominal Union votes into the opposition in return for their support of economy even to the extent of sacrificing Franklin College.⁵²

The resumption and redemption legislation of 1840 proved such a boon to the Union party in the adroit hands of Governor McDonald that no effort was made in 1841 to repeal it. The bonds provided by the 1840 legislature were issued in due form to be sold for the redemption of Central Bank bills. On July 10, 1841, seven months after the passage of the bill, the bonds were placed in the hands of Tomlinson Fort, the veteran of many bitter political fights and head of the Central Bank. The bonds, with the exception of "only two having been sold," were returned to Governor McDonald, June 2, 1842.⁵³ It is doubtful that bonds of the state of Georgia could have been sold at par by anyone, but it is certain that no one could have failed more cheerfully in this task than Fort and Governor McDonald. At intervals during the next few months, portions of the bonds were burned by the Secretary of State in the presence of the governor and the act duly recorded in the official records.⁵⁴ Thus Fort and McDonald were able to demonstrate the failure of the State Rights financial plan.

The customary debate on questions of national politics in the legislature of 1841 revolved around resolutions of censure on Berrien's conduct in the United States Senate. Resolutions were offered in the majority report of the committee on the state of the republic which criticized Berrien's views on the question of restricting the veto power and his stand on land distribution, a United States bank, the tariff, and expenditures by the Federal government.⁵⁵ Substitutes and amendments were offered by Berrien's friends and fellow-partisans. One by Nathan G. Foster would have substituted for criticism of the repeal of the sub-treasury plan an approval of that measure. A motion was made by Andrew J. Miller to lay the whole report on the table for the balance of the session. Most extreme, however, was a State Rights amendment to the tariff resolution which would have added: "And for resisting all such unconstitutional and oppressive measures, we hold nullification of the obnoxious act by a sovereign State the rightful remedy." These and numerous other tests on the resolutions revealed a solid State Rights party vote in support of Ber-

⁵¹ *Acts of the General Assembly* (1841), pp. 21-28.

⁵² *Southern Recorder*, December 21, 1841.

⁵³ Minutes Executive Department, June 2, 1842.

⁵⁴ *Ibid.*, May 26, 1842, April 17, August 16, November 7, 1843.

⁵⁵ *Acts of the General Assembly* (1841), pp. 212-217; *Macon Georgia Telegraph*, November 30, 1841.

rien.⁵⁶ Of the resolutions as passed, the ninth was most severe in criticism of Berrien's course. It reads as follows:

Resolved: That our Senators in Congress be instructed and our representatives requested to vote against the establishment of a United States Bank, in every aspect and in every name that it may be presented, and that they use their exertions to effect a repeal of the Distribution Bill, the Bankrupt Bill, and so to modify and reduce the Loan Bill and Revenue Bill, so as to limit the sum raised for the support of the Government to an amount only which economy in the public service may require.⁵⁷

These circumstances of a purely political character placed both parties in a somewhat equivocal position on the question of public banking. The Unionists opposed the revival of a national bank because of their loyalty to Andrew Jackson and their suspicion of the aristocratic pretension of the "Bankmen"; they were in favor of a central banking agency under state control because their party was in power in the state government. The State Rights party supported the Whig program of a national bank and fought the state bank for exactly opposite reasons.⁵⁸

The caucus of the State Rights party met, November 12, 1841. The principal speaker was William C. Dawson, recently defeated candidate for governor. He explained the reasons for his resignation from Congress, which reasons were not published in the party organ. The overwhelming vote against Dawson in the gubernatorial campaign plus the State Rights argument on the Berrien resolutions that representatives were directly responsible to the voters must have influenced Dawson's decision to retire from Congress. Julius Alford and Eugenius A. Nisbet also resigned with Dawson. Ex-Governor Gilmer, Charles Dougherty, and Augustus R. Wright of Cass were nominated to succeed them. The "Democratic Van Buren Sub-Treasury Party" likewise nominated by legislative caucus Walter T. Colquitt, Mark A. Cooper, and Edward J. Black.⁵⁹ The Union nominees were successful in an aggressive campaign devoted to opposition to the Whig tariff and a national bank, though smaller total votes were cast and smaller majorities were attained than in the preceding fall elections.⁶⁰

The congressional election of 1842 was the final step in the amalgamation of the State Rights party with the national Whig party. The State Rights convention marked no departure from the old State Rights sectional strength. Dooly and Pulaski were the only Union counties having representation in the convention. William C. Dawson and Richard Henry

⁵⁶ *Senate Journal* (1841), pp. 207-209, 212, 329, 365, 367; *Macon Georgia Telegraph*, December 7, 1841.

⁵⁷ *Acts of the General Assembly* (1841), p. 215.

⁵⁸ Cf. Thomas Payne Govan, "Banking and the Credit System in Georgia, 1810-1860," *The Journal of Southern History*, IV (1938), 165-166.

⁵⁹ *Southern Recorder*, November 16, 23, 1841.

⁶⁰ *Ibid.*, January 25, 1842; Minutes Executive Department, January 24, 1842.

Wilde were the outstanding leaders in the meeting. The convention endorsed Henry Clay as "the Choice of the Whig and State Rights party of Georgia" for President in 1844. This was a deliberate effort to pledge the party to Clay in opposition to the general feeling of the rank and file expressed in 1840; and minor leaders precipitated a lively discussion by offering substitutes which held that the time was premature for naming a candidate. The nominees for Congress were Richard W. Habersham, Roger L. Gamble, Richard H. Wilde, Thomas B. King, Absalom H. Chappeil of Bibb, Augustus R. Wright, Augustus H. Kenan of Baldwin, and H. P. Sweat of Talbot. Of these, only Habersham, Gamble, and King were renominated. The other names on the ticket were associated with the State Rights party's affiliation with the national Whig party.⁶¹ Habersham was an example of the State Rights party's futile efforts to expand its strength into the newly settled mountain area.

The Unionists, now openly allied in principles and name with the national Democratic party, anticipated the nomination of Clay by the Whigs. They immediately attacked Clays "American System" as detrimental to the interests of Georgia and the South. This attack was followed up by specific charges that Clay had supported internal improvements, the protective tariff, a permanent national debt, the Bank of the United States, and the abolition movement. In spite of these clear warnings, State Rights leaders held to Clay and the hope of victory with the national Whigs in 1844.⁶²

Immediately following the convention, they geared the party machinery to the task of converting Georgia voters to Clay and to Whig principles. The party organs announced the "Whig and State Rights Ticket," made up of Clay and the nominees for Congress, and placed it regularly in their editorial columns. They pointed out that Clay was the logical man to carry out the reforms promised in 1840 and made extravagant claims for Clay's conversion from high tariff notions. According to State Rights report, Clay advocated "an economical administration of the government, and a tariff only sufficient to meet such expenditures; and that the protection of our own manufactured articles, incidentally afforded, shall be for revenue only." The central committee of the state convention insisted that prosperity for working people could come only with improvement in business conditions through wise protection of business and industry. These allies of the national Whig party stood for "a proper system to subserve the financial purposes of the Government, and make the currency one and equal from one end of the Union to the other. And till this is done, the people may look in vain for stability of agricultural industry." They derided the plea of the Democrats for revenue from the

⁶¹ *Southern Recorder*, June 21, 1842.

⁶² *Macon Georgia Telegraph*, June 14, 21, 28, 1842.

sale of public lands and demanded distribution of the Federal surplus to the states.⁶³ The claim of the Whigs in Georgia to leadership by virtue of superior talent and public ideals was set forth in unmistakable language.

While the strongest bond that unites the Whigs and gives energy to their exertions, is their desire and determination to preserve order and maintain the laws essential for the permanency of society and our free institutions, the reverse of this has as distinctly marked the course and been imprinted on the system of our opponents. . . . Agrarianism and the mob have been courted and flattered—the public and solemn obligations of States have been repudiated and set at naught.⁶⁴

The issues in national politics as threshed out in the Georgia campaign came to a point in an address published by John M. Berrien in late September. Berrien's support of the national Whig program was severely censured by the state legislature of 1841, and he was instructed to change his vote on the bank bill. Whig desire to curb Tyler's power in blocking financial legislation was interpreted by the Democrats as a threat to the constitutional system, and the resolutions of censure identified Berrien with an attempt to abolish the veto power. As a matter of fact, Tyler assumed the presidency with the outspoken support and admiration of the State Rights party in Georgia, but his veto of the bank bill and a bill creating a "Fiscal Agent" for the Federal government brought him under sharp criticism in State Rights quarters. Within eighteen months after his accession, he was regarded by former State Rights leaders in Georgia as the chief obstacle to the political success of their party and as a serious threat to the financial stability of the country.⁶⁵ Meanwhile, Senator Berrien was actively identifying himself with the opposition to President Tyler. On September 13, he reported to a caucus of the Whigs a protest against Tyler's veto of the Whig bill for a "Fiscal Agent."⁶⁶

Berrien, in his address to Georgia voters, first denied the power of the state legislature to censure a United States senator. This he did on the grounds that the United States Senate was an independent body and, under the Constitution, represented the sovereign will of the states in national and foreign affairs. A senator must be regarded, therefore, as a national officer, not amenable to the legislature which elects him, since the state legislature represents the people in local affairs, while a senator represents the state in national and foreign affairs. Berrien denied that he had ever wished to restrict the veto power; he refused to vote against the bank or the distribution bill; and he defended his action on various measures, particularly his vote against the sub-treasury bill.

On the question of the tariff Berrien stated frankly a change of mind

⁶³ *Southern Recorder*, June 21, 28, August 16, 23, 1842.

⁶⁴ *Southern Recorder*, August 30, 1842.

⁶⁵ *Ibid.*, April 20, September 14, 1841, September 13, 1842.

⁶⁶ T. H. Benton, *op. cit.*, II, 357-358.

and heart from his extreme anti-tariff sentiments of 1828-1832. The realization of the diversity of interests in the Union and the superior prosperity of other sections, irrespective of high or low tariffs, had convinced him that Georgia and the South would be forced to cease depending on tariff-tampering to bring real and lasting prosperity. The real cause for the South's economic backwardness was dependence on the sale of staple crops. Furthermore, the tariff policy of the Federal government was in the direction of protection and would in all probability continue in that direction, regardless of Southern aims and demands. In the light of these economic and political realities, it was Berrien's conclusion that the South must enter the fields of manufacturing and mining to achieve a proper division of labor, and secure the economic benefits which had been flowing into other sections. The only alternative to this was for the South to remain antagonistic to the social and political development of the country. The purely political phases of the address were devoted to an apology for the failure of the national Whig party because of frustrations of a determined minority and the errors of the chief executive. The address ended with an earnest plea for another victory as that of 1840.⁶⁷

Georgia voters, however, were deaf to the Whig pleas. Every Democratic nominee to Congress was elected by a majority of over 2,000 votes, and both houses of the state legislature were controlled by the Democrats.⁶⁸ A minority report from the committee on the state of the republic furnished the rallying point for the Whigs in the legislature. Resolutions attached to the report set forth: (1) approval of Berrien as senator; (2) denial of a senator's responsibility to the state legislature and definition of a senator as an officer of the United States government; (3) favorable attitude toward a national bank and equitable distribution of proceeds from sale of public lands; and, (4) defense of duties for revenue only.⁶⁹

On the evening of December 23, 1842, the Whigs met in caucus to lay plans for the campaign of 1843. Thomas Stocks was elevated to the chair, and the principal resolutions provided for a gubernatorial convention to meet on the third Monday in June. Resolutions submitted by Robert Toombs re-stated the party's position on the national bank, the distribution of the proceeds from the sale of public lands, and the quarrel between John M. Berrien and the Union majority in the state legislature. The tariff resolution insisted that import duties were the most proper and expedient method of raising revenue, "Yet in no instance should duties be laid for the purpose of protection, but for revenue only."⁷⁰ Whig leaders had every right to be hopeful that their long exile from leadership was drawing to a close. They immediately made a strong effort to infuse this new ardor into

⁶⁷ *Southern Recorder*, September 27, 1842.

⁶⁸ *Ibid.*, October 25, November 8, 1842.

⁶⁹ *Senate Journal* (1842), pp. 180-195; R. M. Johnston and W. H. Browne, *op cit.* pp. 158-167; P. A. Stovall, *op. cit.*, p. 39.

⁷⁰ *Southern Recorder*, January 3, 1843.

the rank and file of the party in the election of a representative to fill the vacancy occasioned by the death of Richard W. Habersham. George W. Crawford was named by the Whig caucus to fill the vacancy, and in the election he received a majority of 4,500 votes.⁷¹

In the convention of June 19, 1843, Berrien was given complete endorsement. About two hundred delegates from seventy-six counties joined in electing Berrien president of the body. The first act of the convention was to elect delegates to the Whig national convention of 1844. John M. Berrien, William C. Dawson, Thomas B. King, and Robert Toombs were outstanding in the delegation, that was instructed to support Clay for President and Berrien for Vice-President in the first national convention attended by official representatives of the State Rights-Whig party in Georgia. The state convention commended Berrien for his stand against the state legislature. The convention unanimously nominated Alexander H. Stephens of Taliaferro to fill the vacancy in Congress caused by the anticipated resignation of Mark A. Cooper, who had been nominated for governor by the Democrats.⁷²

The Democrats took the offensive in the campaign of 1843. They made every effort to impress upon Georgia voters that the Whigs were the party of a protective tariff, ever ready to sacrifice the interests of the South for the manufacturers.⁷³ The Whigs returned the fire by insisting that the Democratic position on the tariff was untenable in its very nature. The Democratic tariff, in their estimate, was too low for sufficient revenue, while the Whig tariff was sufficient to supply revenue as well as to assure the protection incidental to such a program. This incidental protection could be enjoyed by the South through the introduction of manufacturing and a balanced system of productive labor. Other issues of the campaign involved restriction of the veto power, a United States bank, and the distribution of proceeds of the sale of public lands. Whig leaders held that destruction of the national bank was the primary cause of depression and charged that the Democrats would never restore prosperity with the sub-treasury plan.⁷⁴

While the press and the leaders of the party were defending the foregoing Whig principles, Alexander H. Stephens was busily engaged in initiating his remarkable career as a campaign speaker. He was nominated for membership in Congress by virtue of his authorship of the minority report from the committee on the state of the republic in the legislature of 1842. The Democrats charged that he was nominated because a defeat for a young man would be less harmful to the Whig party than one for an older and more prominent leader. The first reaction to Stephens was

⁷¹ *Southern Recorder*, December 13, 20, 1842, January 24, 1843; *Macon Georgia Telegraph*, January 10, 1843.

⁷² *Southern Recorder*, June 27, 1843.

⁷³ *Ibid.*, July 26, 1842, August 22, 1843; *Macon Georgia Telegraph*, June 6, 1843.

⁷⁴ *Southern Recorder*, August 8, 22, 29, 1843.

astonishment at his youthful appearance, but this soon gave way to amazement at his readiness in debate and mastery of political issues. His Democratic opponent for Congress was James H. Starke,⁷⁵ who had led the movement in the reduction convention of 1839 for a coalition of liberal State Rights men and "free-white" Unionists against the regular Union-Democratic state machine. On the stump he was no match for Stephens, and the Democrats put Walter T. Colquitt in the field to head the vigorous campaign against "Little Ellick." Stephens and Absalom H. Chappell, named in September after the resignation of John B. Lamar, were elected by majorities of around 3,000 votes.⁷⁶

The presidential campaign of 1844 began in March with Clay's visit to Georgia. Accompanied by Thomas B. King and a constantly growing concourse of Whig leaders, he made stops at Columbus, Macon, and Milledgeville.⁷⁷ His easy manners and graceful courtesy won the hearts of those who came in close touch with him, but his speeches offered small comfort to those who wished strong assurances on the question of protective tariff. Neither did soft words and graceful manners remove from the memory of Georgia voters the strictures pronounced on Clay by State Rights leaders in 1839 and 1840 and repeated by Democratic newspapers in 1842, 1843, and 1844. Clay's treatment of the tariff in his speech at Macon, March 18, was reported by the Democratic press as a defense of the protective tariff and a national bank. The speech was heard with respect, but "was greeted with nothing of enthusiasm."⁷⁸ In Milledgeville, Clay, seated on an outdoor platform, had the sun squarely on his face. Someone suggested that Clay exchange seats and get on the south side. Clay's quick rejoinder was that he "wished to be on all sides." Introduced by Governor Crawford, Clay first explained to Georgia listeners his great friendship for William H. Crawford and spoke feelingly of his reluctance to abandon Crawford when illness removed the Georgian from the presidential campaign of 1824. He then reviewed his own course in Congress, especially his efforts to compromise the sectional conflict and preserve the Union. He defended the principle of a revenue tariff with protection incidental to the raising of a revenue. His approval of distribution of the proceeds of the sale of public lands was also clearly set forth. Clay had many friends among the Whig leaders in Georgia to whom he later expressed warm-hearted gratitude for their early support of his candidacy. It was reported that Clay hoped Georgia and Tennessee would be influential in saving the South to his cause.⁷⁹ The friends of Clay in Georgia defended him, but never took a strong stand for the measures to which his name was attached.

⁷⁵ R. M. Johnston and W. H. Browne, *op. cit.*, pp. 172-174; *Macon Georgia Telegraph*, June 27, 1843.

⁷⁶ *Southern Recorder*, September 12, 26, November 7, 1843.

⁷⁷ J. C. Butler, *op. cit.*, p. 163.

⁷⁸ *Macon Georgia Telegraph*, June 6, 20, 1843, March 19, 26, 1844.

⁷⁹ *Southern Recorder*, March 26, May 7, 1844.

The outcome of the campaign was not determined by personal friendship and political management. In his "Raleigh Letter," April 17, 1844, Clay came out squarely against annexation of Texas. It is true that Clay took high moral ground, that his letter set forth the "good neighbor" policy, and that his stand involved the principle that strengthening either section at the expense of the other meant a weakening of the Union; but a presidential campaign proved to be an unsuitable occasion for asserting such principles. When Clay wrote, "I am certainly not willing to involve this country in a foreign war for the object of acquiring Texas," he won no votes in Georgia, where annexation was popular from the first. Van Buren's statement in reply, the second issued by him on the annexation problem, received favorable comment from leaders in both parties in Georgia. Van Buren avoided commitment by a long discourse on the constitutional issue and a promise to submit annexation to Congress, should the actual question arise.⁸⁰

Among Georgia leaders who went to the national Whig convention in addition to those named in June by the Georgia convention, were Alexander H. Stephens, Duncan L. Clinch, and Joseph Henry Lumpkin of Oglethorpe. William C. Dawson was one of the twenty-six vice-presidents of the convention, and Berrien was one of a committee of four to notify Clay of his nomination. The name of Berrien was not offered as a candidate for Vice-President, and the Georgia delegation joined the other Southern delegates in solid support of Theodore Frelinghuysen, who was nominated on the third ballot.⁸¹

After the national convention Whig leaders settled down in earnest to the task of winning Georgia for Clay. Stephens, in a letter to a prominent middle Georgia party leader, denounced the annexation issue as "a miserable political humbug got up as a ruse to divide and distract the Whig party at the South." Stephens held that Van Buren hoped by stirring up the question of annexation to throw the election into the House of Representatives, and that Calhoun saw in the question an opportunity to form a purely Southern party.⁸² Georgia Whigs held an electoral convention at Milledgeville, June 24, 1844, and passed a resolution, introduced by Stephens, favorable to future annexation of Texas. Joel Crawford and Joseph H. Lumpkin were nominated as electors for the state at large. Prominent leaders among the eight electors from the congressional districts were Christopher B. Strong, William C. Dawson, Charles Dougherty, and Charles J. Jenkins. Announced as candidates for Congress were Thomas B. King in the first district, William H. Crawford of Sumter in

⁸⁰ *Southern Recorder*, April 30, May 7, 14, 1844; *Macon Georgia Telegraph*, May 7, 1844. This letter of Van Buren's is usually disregarded in the general accounts of the election of 1840.

⁸¹ *Southern Recorder*, May 7, 14, 1844.

⁸² A. H. Stephens to James Thomas, May 17, 1844, Ulrich Bonnell Phillips, *The Correspondence of Robert Toombs, Alexander H. Stephens, and Howell Cobb* (*Annual Report of the American Historical Association*, 1911, II), p. 57.

the second, Washington Poe in the third, John J. Floyd of Newton in the fourth, Doctor H. V. M. Miller of Floyd in the fifth, J. W. H. Underwood of Habersham in the sixth, Alexander H. Stephens in the seventh, and Robert Toombs in the eighth.⁸³

Only one leader of state-wide importance was lost in the process of changing the State Rights party into a state unit of the national Whig party. Absalom H. Chappell refused to join the Whigs in Congress and, early in the session of 1843, made overtures to Myron Bartlett, editor of the *Macon Georgia Telegraph*, next to the *Federal Union* in importance among Democratic newspapers.⁸⁴ The next spring he declined to go to the Whig national convention as a delegate from Georgia.⁸⁵ Pressed by his home folks in Bibb County for a public explanation, he issued a letter, which was also published as a pamphlet "To My Constituents." In this letter, Chappell denounced the Whigs for their stand on the tariff, internal improvements, and the national bank. He also refused to support Henry Clay because of his opposition to annexation of Texas.⁸⁶ Immediately thereafter, the third district Democratic convention nominated Chappell for membership in Congress. Chappell might well have felt that the mountain had come to Mahomet, especially since the Democrats of the state held a "grand ratifying convention" in Macon closely modelled after the affair of the Whigs four years earlier and later thanked the citizens of Macon for their hospitality, especially the Whigs "who hung the string of the latch on the outside."⁸⁷

The campaign of 1844 was a hotly contested affair with strong appeals from both sides. Toombs and Stephens took the lead among Whig speakers. Besides the nominees for Congress and the Georgia electoral ticket, James A. Meriwether, Eugenius A. Nisbet, and others made numerous speeches.⁸⁸ The grand object was the fanning of enthusiasm to white heat as had been done in the campaign of 1840. In a giant mass meeting at Madison, July 31, August 1, 1844, there were, according to Whig claims, at least 15,000 persons present. Thirty-three counties of middle Georgia were represented in the grand procession, as were the first congressional district, the south Georgia counties of Bulloch, Lee, and Baker, and the Cherokee counties of Hall, Cherokee, Cass, Chattooga, and Cobb. Berrien made the first speech and was followed by William C. Preston of South Carolina and a host of lesser lights among the spell-binders.⁸⁹

The Georgia Whigs made an effort to shift the main emphasis in the

⁸³ *Georgia Telegraph*, July 2, 1844; *Southern Recorder*, July 2, 16, August 6, 1844; A. C. Cole, *op. cit.*, pp. 112-113.

⁸⁴ *Macon Georgia Telegraph*, December 12, 1843.

⁸⁵ A. H. Stephens to Linton Stephens, May 4, 1844; J. D. Waddell, *op. cit.*, p. 49.

⁸⁶ A. H. Chappell to Elias Beall, June 17, 1844, *Georgia Telegraph*, July 9, 1844.

⁸⁷ *Georgia Telegraph*, July 23, August 27, 1844.

⁸⁸ A. H. Stephens to James Thomas, July 16, 1844, *Correspondence of Toombs, Stephens, and Cobb*, pp. 59-60.

⁸⁹ *Southern Recorder*, August 6, 1844.

campaign from annexation to the tariff and the national bank. They defended the tariff by use of the identical argument used by their Union adversaries in support of the compromise tariff of 1833. They pointed out that the price of finished cotton goods had declined fifty per cent since 1830, because of "the establishment of our home manufacturers." Similar comparisons were presented in steel and iron products. The Whig tariff was defended as a revenue measure with discrimination in favor of home manufacturers.⁹⁰ Toombs attacked annexation of Texas and "denounced the Democrats for dragging the slavery question before the people to operate upon their fears." In the heat of the campaign, Toombs forgot the necessity of caution on the Texas question and denounced annexation as morally indefensible and an attempt to despoil a weak neighbor.⁹¹ This statesmanlike view was in accord with Clay's "Raleigh Letter," but was at variance with the rank and file of politicians in Georgia who thought in terms of state issues first, sectional advantages next, and national honor hardly at all. Linton Stephens, for example, remained loyal to the Whig party, but refused to agree with Clay on the annexation question.⁹²

The Whig stand on the tariff was a handicap to the party in Georgia. In April Berrien and Stephens defended the tariff of 1842 for its beneficial protection to all sections of the country. In a speech at Boston, September 19, 1844, Berrien nullified the efforts made by his friends during the two preceding years to prove that he was not in favor of a protective tariff. Protection, he held, would increase the national wealth by the division of labor, the stimulation of industry, the encouragement of internal commerce, the enhancement of values of raw materials, the creation of a home market for agricultural products, and the prevention of drain of specie abroad. Thomas B. King, Robert Toombs, and William C. Dawson also spoke in New York and Boston in favor of the tariff.⁹³ While these men were devoting their energies to discussion of national issues, their political enemies in Georgia were following the same tactics that brought victory to the Whig ticket in 1840. The Democrats organized districts and county rallies, held giant parades, and arranged torchlight processions, stopping the circus only occasionally to pour ridicule on Clay and explain the difference between "Clay Whigs" and "Tyler Whigs."⁹⁴

The congressional election of 1844 was the first held in Georgia in accord with the national district law of 1842. In the seventh and eighth districts in middle Georgia Alexander H. Stephens and Robert Toombs won by majorities slightly over 1000 each. In the first Thomas B. King

⁹⁰ *Southern Recorder*, July 17, August 27, September 3, 1844.

⁹¹ P. A. Stovall, *op. cit.*, pp. 47-48, 53.

⁹² Linton Stephens to A. H. Stephens, June 1, 1844, J. D. Waddell, *op. cit.*, p. 53.

⁹³ S. F. Miller, *op. cit.*, I, 69; A. C. Cole, *op. cit.*, p. 101; U. B. Phillips, *Georgia and State Rights*, pp. 149-150.

⁹⁴ *Georgia Telegraph*, July 23, 30, August 6, 13, 20, 27, September 3, 10, 24, 1844.

was successful by a majority of 731. In the third Washington Poe had a majority of 131 over Absalom H. Chappell. In the second and the fourth districts of the southwestern frontier, the Democrats won by safe majorities; while in the remote fifth and sixth districts of north Georgia, the Democratic nominees, John Henry Lumpkin and Howell Cobb, literally swept the countryside and amassed a combined majority of nearly 5,000 votes. Democratic nominees gained a total majority in the state of 2,338. In the presidential election Polk's popular majority was only slightly less than the total Democratic majority in the congressional election.⁹⁵

Three rather well-defined circumstances of significance to the Whig party stand out in the election of 1844. In the first place, this election again demonstrated the principle that issues and statesman-like qualities in a candidate won few votes in the democratic, semi-frontier state of Georgia. Vigorous appeals to the voters were made, and most of the Whig leaders in Georgia were enthusiastic for Clay, the Whig tariff, and the promise of a stable system of finance for the Federal government. But the picture of Clay in Georgia remained throughout the campaign that of a leader of men, and a statesman of the finest traditions of the aristocratic republic that was rapidly passing away. Nowhere was there mention of the simple and homely, but warm and human, virtues that had won the hearts of Georgia voters for the hero of Tippecanoe four years earlier. The "numerous democracy" feared by the Troups, Crawfords, and Gilmers of the preceding generation was coming into its own, and it demanded that its leaders possess the human touch. This is not to say, however, that there was no well-defined sentiment in Georgia concerning the national issues of the tariff, a national banking system, and the annexation of Texas. With the exception of the Whigs in the commercial cotton section, planters in Georgia were not primarily interested in the possibilities of increased prosperity through the building of a home market behind a high tariff wall and the establishment of a sound national system of currency and credit. But they could readily see the immediate advantage of easy credit and increased area of cotton production by the annexation of Texas. Hence the relative ease with which the Democrats defeated Henry Clay and the Whig ideal of a balanced, self-sufficing national economy.

In the second place, it should be pointed out that the sectional and economic pattern of politics in Georgia followed traditional lines of cleavage in spite of an exchange of positions by the local parties on the absorbing issues of national importance. The red hill counties and river bottom sections voted under the Whig banner for a tariff of protection and a national bank just as solidly as they had voted twelve years previously against all tariffs and bank institutions. The change was deeper than a simple change of national alignment. With an increase in property holdings and the growth of commercial agriculture, voters in these counties

⁹⁵ *Southern Recorder*, October 22, November 19, 1844.

were actually, though temporarily, converted to the "American system" of finance and tariffs.

The third factor of importance was one of immediate political significance. The newest part of the state, the "Cherokee country" was Democratic by overwhelming majorities. Into the red hill counties of south Georgia, opened between 1810 and 1840, cotton-planting Whigs had carried their politics with their families and slaves. There the middle Georgia picture of hotly contested elections was reproduced with slight variations from the original. But the lands of northwest Georgia were not suited to cotton growing on a profitable basis, and the conservative influence of commercial planters in politics was lacking in that region; hence the importance of the year 1844 as a turning point in the history of the Whig party. Into the political equation of pine-woods against cotton area was thrust this third element large enough to hold a determining balance of power. And the indications were strong that it would usually be found identified with the Democratic party. The Whigs won congressional victories in the planting section of middle Georgia by virtue of the old State Rights strength. This strength had completely spent itself in opposition to Indian land legislation, the tariff, and the executive tyranny of Andrew Jackson; and former State Rights leaders now found themselves tied to the national program of the Whig party. This program was defeated in the election of 1844, which demonstrated that the Jacksonian influences and the low tariff policies of the Democratic party gave it a distinct advantage in Georgia. For these reasons, success could come to the Whigs in Georgia only from a set of issues apart from the rival machines of propaganda and patronage controlled by the national parties. These issues were discovered by Whig leaders in the failure of the Union-Democratic party to guide the state government safely through the era of financial storm and stress begun by the panic of 1837.

CHAPTER VI

SHIFT FROM STATE TO NATIONAL ISSUES, 1842-1848

The preceding chapter described the alliance of the particularistic State Rights party of the thirties with the nationalistic Whig party. Meantime, the struggle for control of the state government continued along the same sectional and economic lines that had distinguished the State Rights-Union party cleavage. When John M. Berrien, Robert Toombs, Alexander H. Stephens, George W. Crawford, Charles J. Jenkins, Andrew J. Miller and others of the old State Rights party were able to work in harmonious leadership on national and state issues, the Whig party in Georgia was able to command the respect of its inveterate political enemies, joined in the forties to the national Democratic party.

In 1842 the Democrats had safe majorities in both houses of the state legislature. In the election of a speaker of the house, party lines were broken when two Democratic candidates and Robert Toombs offered as candidates. In the four ballots necessary for a choice, Toombs steadily lost ground. William B. Wofford of Habersham was selected, probably with the aid of many Whig votes as he ran a poor second in three ballots.¹ Wofford was a leader of the democratic "free-white" wing of the Union party and was also friendly with the liberals in State Rights ranks. The legislature of 1842 is the outstanding example of the ability of Georgia Whigs to get their principles passed into legislation while in the minority, and the basis for much of their success may well have been laid in the election of a speaker.

The problem of the currency had become so acute by the fall of 1842 that the legislature was virtually forced to take some action. The act of 1841 which forbade the issuance of small bills had been disregarded by many city councils, and the Central Bank had not been able to resume specie payment. Consequently, the state was flooded with worthless or near worthless currency, most of which was in the hands of people least able to bear losses and most dangerous as voters, *i.e.* the farmers.² With short cotton crops in 1841 and 1842 and the average price of cotton less than five cents, it is small wonder that political leaders ceased wrangling over political resolutions and national issues and turned to the economic plight of the planting class.³ The plight of the state in 1842 may be envisioned by the fact that the government had been forced to borrow specie from the Georgia Railroad and Banking Company and pay nearly ten per cent premium in "uncurrent money," probably Central Bank bills.⁴

¹ *Southern Recorder*, November 8, 1842.

² *Ibid.*, November 1, 1842.

³ J. C. Butler, *op. cit.*, p. 159.

⁴ *Acts of the General Assembly* (1842), pp. 187-188, (1843), p. 9.

On this critical issue of state banking the Democratic majority was thrown on the defense by Governor McDonald's message to the legislature. He virtually admitted that the Central Bank was at the end of its resources and must be rescued by its friends in the legislature. This he proposed to do by prohibiting requisitions on the bank, reserving unclaimed lands to secure bills in circulation, and levying a tax in specie on privately owned bank stock to pay the obligations of the state formerly handled by the Central Bank.⁵ This latter item in the governor's plan threw all the holders of bank stock into the camp of the enemies of the Central Bank and alienated many members of his party. Tomlinson Fort, president of the Central Bank, and the entire "Bank Crowd" actively supported Governor McDonald. Fort wrote a defense of the Central Bank and had copies placed on the desks of members of the lower house. This open attempt of state employees to influence the legislature only served to increase resentment against the bank, especially among representatives from the remote counties. Instead of following McDonald's lead, the Democratic majority split on the issue of banking. Those Democrats who preferred privately-owned banks to what they considered state monopoly of banking cooperated with the Whigs. A Central Bank bill, drafted in the lower house, became the target for a cross-fire of substitutes and amendments in the senate. Charles Spalding and Andrew J. Miller took the lead in a successful move to kill the Central Bank as the financial agent of the state. The Whigs insisted on amendments providing for curtailment and redemption of Central Bank bills and prohibition of advances to the penitentiary. Enough hard-money votes were won from the Democratic enemies of the Central Bank to get these amendments included in the bill.⁶ The final act repealed most of the legislation concerning the bank for the preceding four years. It provided that all appropriations should be paid out of the state treasury, that no bills be reissued except in denominations of one or two dollars, and that bills be redeemed with funds of the state left after paying current expenses. The bond-burning tactics of Governor McDonald were emulated in a provision for burning quarterly the bills that had been redeemed.⁷ The act virtually meant that the Central Bank was to take in its own bills as rapidly as its debtors offered them in payment of notes and remove them permanently from circulation. It was hailed by the Whigs as a substantial victory for the credit of the state and sound public finance.⁸

The Whigs in the legislature of 1842 were able to attract enough Democratic support to get substantial concessions on the issue of public finance and banking. However, the Democrats refused to be persuaded or bullied

⁵ *Southern Recorder*, November 15, 1842.

⁶ *Senate Journal* (1842), pp. 243-248; *Macon Georgia Telegraph*, December 27, 1842.

⁷ *Acts of the General Assembly* (1842), p. 27.

⁸ *Southern Recorder*, January 3, 1843.

from their course on the purely political issues of the Berrien imbroglio and the district bill, and the Whigs were defeated. Resolutions accompanying the report of the committee on the state of the republic repudiated Berrien's action in the special session of Congress in 1841, condemned his September appeal to the voters, and demanded his resignation. A substitute for the resolution asking for Berrien's resignation was offered by Charles Spalding in the state senate. This substitute simply stated that the legislature withdraw confidence in Berrien and refuse to communicate with him. It was carried by a divided party vote.⁹ The Whigs who supported Spalding's substitute were actuated by pique and disappointment at their recent defeat under Berrien's leadership probably as much as by dissatisfaction at Berrien's course on national finance and distribution of the proceeds of public land sales. The resolutions repeated the strictures of 1841 on Berrien's support of a national bank, the tariff, and restriction of the veto power. The insistence that a senator was not only a representative of the state but "an officer of the Government of Georgia" was repeated.¹⁰

The legislature of 1842 was the first in Georgia to attempt the laying off of congressional districts in accord with the mandatory legislation of Congress. Whigs were active in the drafting of a bill which they estimated would give them assurance of a majority vote in the third, seventh, and eighth middle Georgia districts.¹¹ On its final passage the bill received almost solid Whig support, and Democrats expressed satisfaction with it. Governor McDonald, however, was "unwilling to give his assent to an act, which may be construed into an acquiescence in an unjust encroachment upon the rights of the States," and vetoed the act. The governor stated that his veto was given with less reluctance since there would be another session of the legislature before the next congressional election.¹² It seems that the Democrats were not willing to accept the bill written and passed under Whig auspices. McDonald's fear of encroachment on the rights of the state was simply another case of using Federal relations as a blind to cover a strategic move in state politics.

The veto of the district bill indicated that McDonald was stronger than his nominal majority in the legislature. As Christmas and possible adjournment drew near, the doughty governor adopted strong language in handling a situation that threatened annulment of his party's entire program. On December 23, he dispatched a special message to the legislature roundly criticising the Central Bank act. He repeated his earlier recommendation that measures be taken to restore Central Bank bills to use as par currency. Since revenue from the public lands was not immediately available, this could be done only by a special tax levy to support the bills and a

⁹ *Senate Journal* (1842), pp. 273-279.

¹⁰ *Acts of the General Assembly* (1842), pp. 195-197.

¹¹ *Southern Recorder*, November 29, 1842.

¹² *Senate Journal* (1842), pp. 224-229, 442-443; *Macon Georgia Telegraph*, December 20, 1842.

tax in specie on bank stock to pay the interest on the public debt. The state treasury did not have sufficient funds to operate the government, and the revenue from Central Bank discounts had been cut off by the recent act. The governor's message closed with a threat that unless the foregoing changes were made, "if any calculation for the future is made from the experience of the past, I can assure the Legislature that exchange, to an amount sufficient to pay the interest on the public debt, cannot be obtained for Central Bank notes at any price."¹³ The facts behind this formidable blast were that the governor had refused to sign the appropriation act until a tax bill should be passed and that the legislature could not pass a tax bill containing the specie levy on bank stock over the objection of Whigs and hard-money Democrats. The Whigs offered as an ultimatum their own tax law of 1840 plus twenty-five per cent increase.¹⁴ Just two days before Christmas the Democratic managers secured the passage of such an act, and Governor McDonald signed it.¹⁵ This act was re-enacted by the Whig legislature of 1843, the first to meet after the change to biennial sessions.¹⁶

In the gubernatorial campaign of 1843 the Whigs capitalized on the sad state of finances and the failure of the Democratic plans for relief in the legislature of 1842. Continued economic depression aided the Whigs in their attacks on the Democratic administration. During the spring of 1843 planters in the newly opened western section of the state prepared to plant cotton on the largest possible scale "with the determination to make up in quantity what is lacking in value." With the situation so critical it was feared that permanent depression in price might be brought on by over-planting.¹⁷ Nor were the financial affairs of the state in any better condition than those of its citizens. The penitentiary had been paid for building cars for the Western and Atlantic Railway in Central Bank bills and could not use them for paying its own bills. Whereupon, the governor ordered the railway to give to the penitentiary checks on New York in exchange for the bills.¹⁸

Before they could begin a vigorous campaign for the governorship, the Whigs had to choose a standard bearer from their many leaders who like Barkis were "willing." At the June convention, Asbury Hull, William C. Dawson, Roger Gamble, and Duncan L. Clinch all had support for the nomination. These names were withdrawn in good grace as the convention swung into a unanimous endorsement of George W. Crawford, leader of the hard-money forces in the years 1839-1842. Crawford had proved his popularity with voters by his victory in the election to fill a

¹³ *Senate Journal* (1842), pp. 375-377; see also *Macon Georgia Telegraph*, January 3, 1843.

¹⁴ *Southern Recorder*, December 27, 1842.

¹⁵ *Acts of the General Assembly* (1842), pp. 172-173.

¹⁶ *Ibid.* (1843), pp. 168-176; *Southern Recorder*, January 2, 1844.

¹⁷ *Southern Recorder*, February 21, March 7, 1842.

¹⁸ Minutes Executive Department, March 23, 1843.

congressional vacancy, and his nomination was popular with Whigs of all ranks.¹⁹ The convention adopted no platform for the gubernatorial campaign. On August 22, 1843, a statement of the issues in the state was published under the names of Robert Toombs and the other members of the platform committee named by the 1842 legislative caucus.

This statement first reviewed the course of public finance during the whole period of Union supremacy, 1833-1839. The acts of the "redemption legislature" of 1840 were set forth as the cure for the ills brought upon the state in the preceding eight years. Chief among claims for credit were reduction of appropriations, curtailment of the issue of Central Bank currency, provision for the redemption of Central Bank bills and resumption of specie payment, and the collection of debts due the state. The committee charged the Democratic party with ridiculing and blocking these measures in 1841, turning to them in desperation in 1842, and now in 1843 trying to divert attention from their own gross mismanagement of state affairs by agitating issues of national politics. The voters were reminded that prosperity and public welfare "depend upon the honest and faithful administration of our local affairs."²⁰ The Democrats asserted that the address really brought to light the Whig hatred for the Central Bank, a hatred that had formerly been veiled by their so-called efforts to stabilize the currency and revenue of the state by saddling the bank with the entire state debt and taking away its power to issue new bills or redeem its old bills.²¹ Mark A. Cooper, the Democratic nominee for governor, was attacked by the Whigs as a turncoat because of his desertion of their party in 1840. He replied by insisting that he had not changed his principles, but had accepted nomination by the party upholding his principles. Whereupon, the Whigs suggested that the Democratic party had not changed its Federalist principles but had gotten the wrong man as standard bearer. Crawford was elected governor by a majority of 3,441 votes. In the state legislature the Whigs won majorities in both houses. They elected Charles Dougherty president of the senate and chose Charles J. Jenkins speaker of the lower house.²²

The principal acts of the legislature of 1843 were concerned with finance. The Whig tax law of 1842 was reenacted for two years since there was no session of the legislature in 1844. In 1839 Reid Irving Company advanced \$500,000 to the state and took state bonds for sale in Great Britain as collateral. After selling the bonds to the value of 15,000 English pounds, the company ceased sale at the protest of the governor that the bonds not be sold at less than face value. The remainder of the debt due the Reid Irving Company was ordered funded by the governor and

¹⁹ *Southern Recorder*, June 27, 1843; *Macon Georgia Telegraph*, June 20, 1843.

²⁰ *Southern Recorder*, August 22, 1843.

²¹ *Macon Georgia Telegraph*, August 29, 1843.

²² *Southern Recorder*, September 19, November 7, 1843; *Macon Georgia Telegraph*, November 14, 1843.

the bonds held by the company were ordered to be replaced by six-year six per cent bonds. The legislature also authorized the governor to pay from any available state funds \$75,000 yearly on the principal due Reid Irving Company. If this arrangement should not be satisfactory to the firm, then the governor should sell six per cent bonds elsewhere or borrow at not more than seven per cent a sum not to exceed \$50,000 yearly for payment to the company.²³ That the world in general and Reid Irving in particular might not consider this an act of repudiation, a resolution was passed branding the "slightest breach of plighted faith, public or private, as an evidence of a want of moral principle upon which all obligation depends."²⁴ On November 21, 1843, Governor Crawford sent a message to the legislature in which he suggested that the Central Bank be given eighteen months to redeem its bills and that it be required to pay eight per cent on all bills outstanding at the end of that period.²⁵ The legislature, however, chose a less direct method of retiring Central Bank bills from circulation. It required the Central Bank to redeem any additional bonds issued under the act of 1840 out of its own funds. The same act gave the governor authority to discharge any and all officers of the Central Bank "whose service may be dispensed with." Another act required all payments of the state after February 1, 1844, to be made from the treasury in specie. This was to be made possible by a temporary bond issue of \$150,000. For every dollar of specie thus borrowed the governor was ordered to burn a dollar in Central Bank bills. The assets of the Central Bank were to be used to redeem its bills and to pay off the bonds. Any remaining assets of the bank were to be deposited in the state treasury.²⁶ Until these acts could be carried into effect, the governor requested that the banks of the state aid in the return to specie payment. On December 22, 1843, the governor reported that \$100,000 in Central Bank bills had been accepted by the banks of Savannah and Augusta to prevent further depreciation incident to payment of the members of the legislature in Central Bank bills. Later it was ascertained that a total of \$160,000 was turned over to the state before Central Bank bills reached par on May 1, 1844.²⁷

When the question of resuming work on the Western and Atlantic Railway arose in the lower house, the governor was requested to furnish a complete statement of the financial condition of the road. This statement revealed that nearly \$3,000,000 had already been expended and that an additional \$500,000 would be necessary to complete the road. There was a bonded indebtedness on the road of slightly more than \$1,500,000.

²³ *Acts of the General Assembly* (1843), pp. 140-142, 168-176; *Southern Recorder*, January 2, 1844.

²⁴ *Acts of the General Assembly* (1843), p. 190.

²⁵ Minutes Executive Department, November 21, 1843.

²⁶ *Acts of the General Assembly* (1843), pp. 30, 144-145.

²⁷ Minutes Executive Department, December 22, 1843, October 22, 1845.

The time necessary for completion was reported as depending on the completion of branch roads being built toward the southeastern terminus.²⁸ The legislature passed an act requiring that operations be resumed under the authority of the governor and a chief engineer. The same officials were also given authority to apply "such motive power as may be adapted to its wants, and to establish rates of transportation for persons and produce," as soon as any branch railroad should reach the southeastern terminus. The lack of enthusiasm in the legislature was revealed in a section of the bill which authorized the governor to sell the railroad for not less than \$1,000,000, which was about thirty-five per cent of the amount already invested in the venture.²⁹ The Democratic minority made a party issue of the abandonment of the road, and Whig leaders had great difficulty in holding their members to the support of the road.³⁰

The Whig legislature of 1843 abandoned the long established Whig principle that the state penitentiary should be self-sustaining. This was due to the leadership of George W. Crawford, who held ideas in advance of the party on the functions of a state penal institution. In a special message Governor Crawford reported that the workshops of the penitentiary had been destroyed by fire. He also pointed out that the penitentiary had been a disappointment in its failure to perform its essential duty, namely, the reformation of criminals. He expressed the opinion that solitary confinement was unwise and might cause insanity. He suggested that sedentary labor accompanied by little noise would be "best calculated to awaken reflection in the convict and allow the greatest efficiency in the police." The manufacture of boots and shoes was offered as an example of "sedentary labor" greatly needed in Georgia. The message did not ask for specific legislation on the foregoing points, but did request a change in the law to allow work either inside or outside the penitentiary.³¹ This change was authorized in a special act, and in the Western and Atlantic bill the governor was given authority to put the convicts "upon the public works of the State." The appropriation act carried provisions for \$32,000 to pay the debts of the penitentiary and \$9,000 for maintenance and building for each of the years 1844 and 1845.³²

The Whig legislature of 1843 attempted to solve the problem of representation in Congress and in the state legislature. The original bill was so framed that it was expected that the Democrats would be able to elect congressmen only in the overwhelmingly Democratic fifth and sixth districts. An outcry arose immediately from the minority members of the legislature and was taken up by Democrats over the state.³³ The opposition

²⁸ Minutes Executive Department, November 22, 1843.

²⁹ *Acts of the General Assembly* (1843), pp. 138-139.

³⁰ Robert Toombs to A. H. Stephens, January 1, 1844, *Correspondence of Toombs, Stephens, and Cobb*, p. 53.

³¹ Minutes Executive Department, November 17, 1843.

³² *Acts of the General Assembly* (1843), pp. 9, 60, 139.

³³ *Macon Georgia Telegraph*, December 19, 26, 1843.

developed such strength that, according to Robert Toombs, the Whigs "had to gerrymander a little in order to give the Democrats their third district."³⁴ In the matter of representation in the state legislature the Whigs accepted the county basis which the State Rights party had twice defeated in the preceding decade. The victories of 1840 and 1843 and the near-victory of 1842 lessened Whig interest in reapportionment of representation wholly on the basis of population. The thirty-seven counties having the greatest representative population were given two representatives each, while the fifty-six remaining counties were to have one representative each. The senate was reduced to forty-seven members elected from one-member districts.³⁵

The legislature of 1843 adjourned with Whig leaders highly pleased over their accomplishments in matters of finance, the state railway, and the district bill. Soon after adjournment a test of party strength occurred in an election to fill a vacancy in Congress. The Whigs offered Duncan L. Clinch to the voters without platform or promises, but simply as a gallant old soldier, "the hero of Withlacoochee." Clinch was elected by a majority almost a thousand greater than the majority received by Crawford in the gubernatorial race of 1843.³⁶ Also during the weeks following adjournment, the economic tension lessened for both the government and the citizens of Georgia. On January 12, 1844, Governor Crawford could report the burning of 125 bonds of 500 pounds sterling value each.³⁷ The state treasury began making payments in specie a few days before February 1, as required by the law of 1843. In February the price of cotton advanced to the neighborhood of the safety line of ten cents, and financial skies naturally cleared somewhat. Though some banks refused to cooperate with the state government in accepting Central Bank bills, the governor refrained from invoking the penalty of refusal of their bills for taxes and thereby gained good will for his party without endangering the success of its financial program. Around May 1, Central Bank bills in circulation amounted to less than \$100,000 and were accepted at par all over the state.³⁸

The year 1843 was the high point of Whig success in Georgia, and Whigs looked confidently forward to steady progress through the medium of their sane and moderate program of public finance. These hopes were dashed to the ground by their defeat in the presidential election of 1844³⁹ and by a recession from the economic advance begun early in that year. During the planting season of 1845, the price of cotton in Georgia markets was about five cents per pound. Under such conditions the usual edi-

³⁴ Robert Toombs to A. H. Stephens, January 1, 1844, *Correspondence of Toombs, Stephens, and Cobb*, p. 53.

³⁵ *Acts of the General Assembly* (1843), pp. 14-17; Amendments to Article I, Sections 3, 7, Constitution of 1798, F. N. Thorpe, *op. cit.*, II, 808.

³⁶ *Southern Recorder*, November 28, December 19, 1843, January 16, 1844.

³⁷ Minutes Executive Department, January 12, 1844.

³⁸ *Southern Recorder*, January 16, February 6, April 23, May 7, 1844.

³⁹ *Infra*, pp. 106-111.

torial jousting in political polemics gave way to reports of the organization of agricultural societies. In these efforts leaders of both parties exercised their forensic powers in debating the relative merits of land improvement schemes and in extolling good management in producing better crops. Such a gathering, March 31, 1845, elected Governor Crawford president of the Agricultural Association of Georgia. Later the leaders of the Association began spreading the gospel of farm improvement to county agricultural societies. Perhaps the combination of a major defeat and a lapse in the price of cotton suggested to the planters that a little intelligence and care expended on their estates might pay some substantial dividends not accruing from political pot-boiling.⁴⁰

This renewed interest in the practical things of making a living was accompanied by a return to the problems of state administration. Governor Crawford continued to burn unsold bonds. He announced the transfer of state funds from the Central Bank to the state treasury and the payment, after January 1, 1845, of all state bonds at the state treasury.⁴¹ The Whigs were jubilant at the effective and popular handling of finances by Crawford; and, early in 1845, party leaders began discussing plans for his re-nomination.⁴² Steps were also taken to investigate the Democratic administration of the state treasury. A shortage was discovered, and the whole situation was given a thorough airing in Baldwin County Superior Court in the case of *State v. the Securities of Thomas Haynes*.⁴³

The Democrats nominated Matthew H. McAllister of Chatham for governor; in a stirring campaign they charged the Whigs with repudiation of relief to needy citizens. They failed, however, in an attempt to identify the Whigs of Georgia with the protective tariff ideas of the national Whig party. The main issue of the campaign was the financial policy of Governor Crawford's administration.⁴⁴ The Whigs met in convention in July and adopted a platform dealing mainly with finance. It set forth approval of Governor Crawford and nominated him for a second term. Reduction of the state debt and complete payment at the earliest date practicable, a state currency convertible into specie, payment from the state treasury in funds capable of conversion into specie, rigid economy in government, lowering of the tax burden, and a revenue-producing penitentiary were the principal items of the Whig faith in conservative finance. Duncan L. Clinch, victor in the latest statewide election, was president of the convention.

Whig writers advanced Crawford's claim to re-election by comparison of state expenses for the years 1842 and 1843. According to their figures

⁴⁰ *Southern Recorder*, October 8, 1844, April 8, 20, 1845.

⁴¹ Minutes Executive Department, December 13, 14, 1844; *Georgia Telegraph*, February 25, 1845.

⁴² Robert Toombs to A. H. Stephens, January 24, 1845, *Correspondence of Toombs, Stephens, and Cobb*, pp. 60-61.

⁴³ Minutes Executive Department, March 25, 1845.

⁴⁴ *Southern Recorder*, July 8, 15, 1845; *Georgia Telegraph*, June 11, 18, July 1845; *Albany Patriot*, June 25, September 17, 1845.

Crawford's administration was responsible for savings of around \$50,000 during the latter years. As election day drew near, the Democrats shifted their attacks somewhat from the general principal of relief to the specific acts of the Crawford administration. They found in the city politics of Augusta a movement to restrict suffrage and tried to identify Governor Crawford as the leader of such a movement on a statewide basis. They also charged Governor Crawford with leaving his duties at Milledgeville too often and with careless administration of state funds.⁴⁵ The committee appointed to wind up the affairs of the Central Bank was brought under fire because of a reported deficit of \$350,000. The *Cassville Pioneer*, July 19, published a statement that Crawford was planning to sell the state railway to prevent its falling into the hands of the Democrats.⁴⁶ The Whigs vigorously defended the high integrity and demonstrated ability of their nominee. An address signed by Eugenius A. Nisbet, James A. Meriwether, who had been chairman of the legislative caucus of 1843, Alexander H. Stephens, and Charles J. Jenkins re-emphasized the financial phases of the July platform and took an aggressive stand for Crawford. These prominent Whig leaders claimed for Crawford's administration a reduction of \$110,000 of Central Bank bills. "It has restored the credit of our State by greatly elevating the value of her bonds: it will redeem our State Treasury from debt; and secure relief to the industry of our citizens, by a reduction of the present burdens of taxation."⁴⁷

The October election returned Crawford to the governorship by a majority of 1751. Charles J. Jenkins was elected speaker of the lower house, and Absalom H. Chappell, elected to the senate by the Democrats, was chosen president of the upper house.⁴⁸ After organization of the General Assembly had been effected, the question of state finance was taken up. In a special message Governor Crawford set forth the urgent nature of the debt to Reid Irving Company, "in some sort our debtors by compulsion." Interest on the debt had been paid, but no settlement of the principal had been effected, since no market had been found in London for the bonds provided for in the act of 1843. Extension of time had been secured until June 30, 1846.⁴⁹ Such extension, in the view of the hard pressed legislators, must have placed the Reid Irving debt in extremely favorable position as compared with the allied problems of the Central Bank and the Western and Atlantic Railway. And the governor's desire to end the uncertain state of the Reid Irving obligation aroused no enthusiasm in the legislature.

⁴⁵ *Southern Recorder*, July 8, 15, 22, August 5, 1845; *Georgia Telegraph*, August 12, September 23, 1845.

⁴⁶ *Southern Recorder*, September 23, 1845.

⁴⁷ *Ibid.*, August 26, September 30, 1845.

⁴⁸ *Ibid.*, October 21, November 3, 1845; *Georgia Telegraph*, June 4, October 14, 1845.

⁴⁹ Minutes *Exécutive Département*, November 21, 1845.

The eight per cent bonds which had been sold to redeem Central Bank bills were commuted into six per cent state bonds of \$500 each. All assets of the Central Bank, as well as the "faith and credit of the State of Georgia," were pledged to the payment of these bonds. The governor was authorized to issue bonds on the Western and Atlantic Railway if profits were not sufficient to extend building to Cross Plains in Murray County. "But the state shall be no further bound therefor and such limited liability shall be clearly expressed in said Bonds."⁵⁰

So closely did the legislature hold to the Whig promise of economy in the operation of the government that no money was appropriated except for the actual maintenance of state offices and the payment of debts. In the appropriations act the penitentiary was granted \$10,000 to pay its debts, with the proviso that none of the appropriation be devoted to the debt due the Central Bank. Education was classed in the *Acts of the General Assembly* as a "private and local" matter.⁵¹ Even a bill to distribute the poor school fund, consisting of 2,630 shares of the capital stock of the Bank of the State of Georgia and the Bank of Augusta, was killed in the senate by indefinite postponement.⁵² The tax act of 1845 was the same as that of 1843 except that sections were added which provided for a levy of eight per cent on all exchanges by banks or individuals from outside the state and eight per cent on persons and companies having more than \$15,000 invested in manufacturing.⁵³ This latter amendment was in strange contrast to the principle of protection of manufacturing defended by Georgia Whigs as part of the national policy of their party.

The Whig party in Georgia, however, was hopelessly entangled in a maze of national issues, already threatening to rend the party asunder. After the election of 1844 Linton Stephens wrote Alexander H. Stephens from the University of Virginia that the name of Stephens was already familiar to young law students from Alabama, Mississippi, and South Carolina, but that he was unknown in the upper South.⁵⁴ Stephens supported a bill to reduce the duty on railroad iron, and Linton later wrote:

You certainly have very carefully examined the pulse of poor old sick Georgia and perhaps have concluded that the medicine [high tariff] heretofore has been given in too large doses, and like any humane physician would, have determined to diminish the prescription and administer it in broken doses.⁵⁵

⁵⁰ *Acts of the General Assembly* (1845), pp. 46-50.

⁵¹ *Ibid.* (1845), pp. 10, 88-89.

⁵² *Senate Journal* (1845), pp. 232-233.

⁵³ *Acts of the General Assembly* (1845), pp. 50-52; *Southern Recorder*, January 6, 1846.

⁵⁴ Linton Stephens to A. H. Stephens, December 22, 1844, J. D. Waddell, *op. cit.* p. 71.

⁵⁵ Linton Stephens to A. H. Stephens, December 24, 1844, *ibid.*, p. 74.

More representative of mature political thought in Georgia was a letter from Robert Toombs. He stated, without knowing how his friend had voted, that the duty on railroad iron "ought to be repealed or greatly reduced" to a low revenue level. Toombs held this opinion because he believed that a low duty on railroad iron would encourage internal improvements. He also felt that the lack of competition in the iron market made any duty a bounty to the manufacturers.⁵⁶ Likewise indicative of Georgia sentiment on this question was a resolution passed by the state legislature of 1845 requesting senators and representative of Georgia to secure the passage of the law which would refund to Georgia the money paid as duty on Western and Atlantic railroad iron.⁵⁷

The Georgia Whigs were caught between the fires of national party politics and Southern demands again on the question of Texas annexation. In the United States Senate Berrien heartily opposed the resolution to annex Texas as "an open, palpable violation of the Constitution." He held that the course for the South to follow in case of danger to slavery would be "to cut at once the cord that binds us to fanatics."⁵⁸ Stephens took a different stand in the House of Representatives and backed it with argument from a different approach. Slavery, he said, was not the question at issue, since the Federal government had no power over the domestic institutions of states. The question was not concerned with acquisition of territory, which power Congress undoubtedly possessed. The question was simply that of the admission of a state into the Union. Stephens was in favor of the admission of Texas because of the political advantage it would bring the South.⁵⁹ Stephens feared at first that he had gone too far to please the homefolks in his district who had supported Clay for president the previous year.⁶⁰ But as reaction to the discussion set in, it became clear that Stephens had struck a popular note in Georgia. The rank and file and most of the leaders agreed with Stephens' avowal that Texas should be admitted as a state. Charles J. Jenkins objected to the method of annexation. Toombs admitted concurrence only on the self-evident proposition of political advantage, but pledged himself to avoid public committal on the question.⁶¹

Disagreement between Berrien and Stephens on the annexation question was the entering wedge in a cleavage that ultimately eliminated Berrien from his place of leadership among Georgia Whigs. The Whig majority in the state legislature of 1845 repudiated Berrien's alliance with the national Whig party and refused to nominate him for re-election for the

⁵⁶ Robert Toombs to A. H. Stephens, January 25, 1845, *Correspondence of Toombs, Stephens, and Cobb*, p. 61.

⁵⁷ *Acts of the General Assembly* (1845), p. 204.

⁵⁸ S. F. Miller, *op. cit.*, I, 73-74.

⁵⁹ R. M. Johnston and W. H. Browne, *op. cit.*, pp. 185-191.

⁶⁰ A. H. Stephens to James Thomas, February 11, 1845, *Correspondence of Toombs, Stephens, and Cobb*, p. 62.

⁶¹ Robert Toombs to A. H. Stephens, February 16, 1845, *ibid.*, p. 62.

term beginning March 4, 1847; whereupon, Berrien resigned his post as senator, November 7, 1845.⁶² This action was the equivalent of a demand for a vote of confidence in Berrien and came near to precipitating an immediate break in Whig ranks. It was only after a week of trading and discussion that Whig lines were reformed and Berrien was re-elected by the unanimous vote of Whig members.⁶³ On the evening of the day the final vote was taken, Berrien addressed the Whig caucus and, according to editorial report, triumphantly vindicated himself from the aspersions and calumny of his opponents. The editor of the Whig organ, however, did not find space to publish the speech as requested by Berrien.⁶⁴ Neither did the Whigs press for the election of a United States senator for the term beginning March 4, 1847. A few days later an opportunity to retire with honor from an embarrassing situation was offered Berrien when he was tendered an appointment on the newly constituted Supreme Court of Georgia. Berrien flatly refused to accept the duties involved in holding court ten times each year in as many Georgia towns and made it plain that he considered the office not equal to his talents and worth.⁶⁵ Joseph H. Lumpkin, Hiram Warner of Meriwether, and Eugenius A. Nisbet were the first judges.⁶⁶ Lumpkin and Nisbet were State Rights-Whig leaders who had served as Superior Court judges, and Warner was the choice of the Democratic minority in the legislature.

These bickerings and clashes within the Whig party meant that the party could not long hold its usual place of strongly entrenched leadership by virtue of the ability and political acumen of its members. With keen natural wit but little regard for spelling or grammar, one member of the new Democracy wrote the leader of his party:

I am busy ingaged in preparing materiels for the campaign of 1847. I compel the Feds to vote on all important questions and there dishonest political course is pointed out to them all most every day in the Senate and I am certain it would gratify you to witness how they hang there heads and bear it without oping there mouths. . . . Give my compliments to Colquitt and the balance of the delegation from Georgia except Berrien and his people.⁶⁷

With dissension in their own ranks and a bitter spirit of partisanship adding fervor to the opposition of the Democratic party, the Whigs were pleased when the legislature adjourned. They continued to reap the political benefits of specie payment and financial stability

⁶² *Southern Recorder*, November 7, 1845; *Georgia Telegraph*, November 11, 1845.

⁶³ *Senate Journal* (1845), p. 58; R. M. Johnston and W. H. Browne, *op. cit.*, p. 198; *Georgia Telegraph*, November 18, 1845.

⁶⁴ *Southern Recorder*, November 18, 1845.

⁶⁵ *Acts of the General Assembly* (1845), pp. 18-25; S. F. Miller, *op. cit.*, I, 76.

⁶⁶ *Southern Recorder*, December 19, 1845.

⁶⁷ William B. Wofford to Howell Cobb, December 14, 1845, *Correspondence of Toombs, Stephens, and Cobb*, p. 69.

in state affairs during the administration of Crawford. The scrip of the Western and Atlantic Railway was redeemed in large measure by March 1, 1846. The issue of the new six per cent bonds to fund the Reid Irving debt was put on the market early in the year.⁶⁸ Party leaders in Washington watched closely the developments of the financial question and were elated at the favorable response the bonds drew from party press and business interests. Toombs advised Governor Crawford to arrange for the railroad to pay its obligations from its profits.⁶⁹ This advice must have appealed to Crawford, for Western and Atlantic bonds in accordance with the 1845 bill were issued for only \$10,000 during 1846.⁷⁰

The Whigs of Georgia were not allowed to hold to the substance of things political, however, as the reward for businesslike administration of the state government. State political lines could not be maintained without strict regard to the great national issues revolving around territorial expansion.⁷¹ The eyes of political leaders in Georgia began to focus on Washington as the Oregon question came before the country in 1846. Stephens published an attack on President Polk's position that Great Britain should withdraw from the disputed area. Before his letter reached the columns of Whig newspapers, the "magnetic telegraph" brought the news that he and Toombs had voted against resolutions granting Polk the power to notify Great Britain of termination of the convention for joint occupation. Toombs made his maiden speech against the resolution; this speech was published when Georgia editors were hotly engaged in polemics concerning the relative merits of peace or the maintenance of national honor.⁷²

The Whigs made as much as possible of Polk's undoubted embarrassment on the Oregon issue and then turned their attention, as did the rest of the country, to Texas and Mexico. Georgia was no whit behind the rest of the South in the demand for war. One man wrote: "I never saw the people more excited. A volunteer company could be raised in every county in Georgia."⁷³ The Whig leaders, however, opposed the war and denounced the invasion of Mexico as fighting in an "unholy cause." Stephens took the lead in the House of Representatives in insisting that the war had been provoked by the deliberate, unwise, and unnecessary advance of troops into hostile territory.⁷⁴ These criticisms were amply supported in Georgia. According to Whig editors, General Zachary Taylor failed to advance the

⁶⁸ Minutes Executive Department, January 10, March 3, 1846.

⁶⁹ Robert Toombs to G. W. Crawford, February 6, 1846, *Correspondence of Toombs, Stephens, and Cobb*, p. 73.

⁷⁰ Minutes Executive Department, November 5, 1847.

⁷¹ Robert Toombs to G. W. Crawford, February 6, 1846, *Correspondence of Toombs, Stephens, and Cobb*, p. 73.

⁷² *Southern Recorder*, February 17, March 3, 1846; P. A. Stovall, *op. cit.*, p. 57.

⁷³ T. R. R. Cobb to Howell Cobb, May 12, 1846, *Correspondence of Toombs, Stephens, and Cobb*, p. 76.

⁷⁴ *Albany Patriot*, August 5, 1846; R. M. Johnston and W. H. Browne, *op. cit.*, p. 205.

cause of the war because of a lack of support and cooperation from the administration.⁷⁵ Already Whig leaders, Stephens prominent among them, were beginning to urge Taylor for the Whig presidential nomination in 1848.⁷⁶

The opposition of Whig leaders to Polk's policy on Oregon and the Mexican War had notable results in Georgia politics. The followers of Howell Cobb in the strongly Democratic sixth congressional district would not call a convention for his renomination. They knew that the Whig agitation against Cobb's support of Polk had created serious dissatisfaction in their party, and they feared that the Whigs might induce some of the defeated Democratic candidates to enter the field against Cobb. Patriotic Democrats of middle Georgia were dismayed and indignant at Whig efforts to prevent men from volunteering to defend the national honor. They professed to believe that the Whigs aimed at creating dissatisfaction for the whole war policy of the administration and then riding to victory on "claptrap" concerning the Democratic tariff on tea and coffee.⁷⁷

The Whigs followed the example of the Democrats in the sixth district and accepted as nominees for Congress the leaders put forward by the party editors. The complete slate was Thomas B. King in the first, William H. Crawford in the second, Doctor John W. Jones of Pike in the third, William Moseley of Henry in the fourth, General Cleveland of Habersham in the sixth, Alexander H. Stephens in the seventh, and Robert Toombs in the eighth district. That the Whig opposition to the war did have some effect in the state is indicated by the fact that outside the fifth district, where no Whig was nominated, the total Whig majorities exceeded the total Democratic majorities by nearly 3,000. As in 1844 the Whigs were successful in the first, third, seventh, and eighth districts.⁷⁸ These comparative figures indicate that the attempt of a gerrymander in the Whig district bill of 1843 was not successful.⁷⁹ The dividing line between fair apportionment of representation and pure juggling of votes for party advantage is not always clear. Regardless of the motives in this case the district bill of 1843 gave the parties in 1844 and 1846 representation in Congress closely proportionate to their voting strength in the state.

During the first half of 1847 the Whigs of Georgia were absorbed in national issues and the prospect of the presidential election of 1848. They criticized heartily the failure of the administration to recognize General Zachary Taylor for service in the war. They boldly stated that "Old

⁷⁵ *Southern Recorder*, June 16, 23, 1846.

⁷⁶ R. M. Johnston and W. H. Browne, *op. cit.*, p. 205.

⁷⁷ Albon Chase to Howell Cobb, May 20, 1846, W. H. Hull to Howell Cobb, May 22, 1846, J. B. Lamar to Howell Cobb, June 24, 1846, *Correspondence of Toombs, Stephens, and Cobb*, pp. 78, 82-83.

⁷⁸ *Southern Recorder*, September 29, October 20, 1846; *Georgia Telegraph*, October 13, 1846.

⁷⁹ Lollie Bell Wylie, *Memoirs of Judge Richard H. Clarke*, p. 273, makes an unqualified accusation of a gerrymander.

Rough and Ready" was already reaping too much glory for President Polk's peace of mind.⁸⁰ Later, they informed the voters of Georgia that President Polk on hearing of the victory at Monterey had exclaimed: "General Taylor must be crushed!" Crawford, Toombs, and Stephens all came out for Taylor.⁸¹ On May 25, 1847, the *Southern Recorder* made bold to say: "We believe we cannot be mistaken in regard to the determination of the Whigs of Georgia . . . in relation to the next presidency." "Old Rough and Ready" was forthwith declared a candidate "by acclamation of the people." Whig leaders became anxious to launch the campaign and moved the gubernatorial convention up from the third Wednesday in July to July 1.⁸²

Meanwhile, Georgia Whigs in Washington were active in the double task of embarrassing the administration and in rallying Whig support for the approaching campaign. The attitude of Southern Whigs to the war with Mexico was defined by the Stephens resolutions of January 22, 1847. These stated that the war was "not waged with a view to conquest, or the dismemberment of Mexico" and that hostilities should cease "upon terms honorable to both parties." The Whigs in the House of Representatives supported the resolutions after it was seen that they offered a chance to bring a realignment of Whig strength against the Democratic threat of entering a presidential election as the party of a successful and glorious war.⁸³ Stephens opposed the appropriation of funds for the war on the grounds of executive tyranny, usurpation, and incompetence. He asserted on February 12, 1847, that the nation had been plunged into war by the "unskillfulness and unfaithfulness of our pilot," and Congress should take steps to redeem the country. All this was heartily applauded in the Whig press of Georgia. But the gentlemen of the press, in their enthusiasm for the cause of "peace honorable to us and just to our enemy," missed the double-edged character of Stephens' thrust. Georgia editors expressed fear of the effect of territorial expansion on anti-slavery sentiment and disavowed the necessity for more territory.⁸⁴ Stephens and Toombs, however, in all their opposition made clear they were opposed to the manner and not the act of expansion.

Senator Berrien found it possible to reconcile his past views with the new Whig policy as enunciated in the Stephens resolutions. His speech of February 5, accompanied by warm editorial praise, was spread before the reading voters of Georgia. John C. Calhoun offered in the Senate, Feb-

⁸⁰ *Southern Recorder*, January 12, 1847.

⁸¹ *Ibid.*, February 9, 1847; R. H. Shryock, *op. cit.*, p. 160; R. M. Johnston and W. H. Browne, *op. cit.*, p. 227.

⁸² *Southern Recorder*, May 25, 1847.

⁸³ R. M. Johnston and W. H. Browne, *op. cit.*, pp. 210-211; Louis Pendleton, *Alexander H. Stephens*, pp. 89-90; R. H. Shryock, *op. cit.*, p. 135; *The Union*, January 22, 1847.

⁸⁴ R. M. Johnston and W. H. Browne, *op. cit.*, pp. 212-216; *Southern Recorder*, February 16, 1847.

ruary 19, 1847, a set of resolutions which made a strong bid for Georgia Whig support for the South Carolinian's leadership. These are important in their forecast of the Georgia Platform of 1850. They declared that: (1) territories were the joint property of the states; (2) Congress had no constitutional right to deprive any state of its full right in the territories; and, (3) people in forming a state constitution had the unconditional right to set up whatever form of government they desired.⁸⁵ Toombs made a direct overture to Calhoun. On April 30, 1847, he wrote:

You are aware of my early and uniform disrelish of the idea of the appropriation of Mexican territory. I can see nothing but evil to come of it. And now I do not see clearly how it can be well avoided to some extent. Our policy upon this whole Mexican question it is now evident will be in your hands. The Whigs and your friends will undoubtedly be able to control the next house of Representatives and upon this question I think the Senate.⁸⁶

When the Whig state convention met in July, 1847, it seemed that the issues of the Mexican War and Taylor's candidacy for President were the Whig's strongest claim to the attention of the electorate. The sixty-seven counties represented at the convention included the usual middle Georgia group and, in addition, Appling, Baker, Cass, Chatham, Chattooga, Lowndes, Macon, Randolph, Stewart, Sumter, Tattnall, Telfair, Thomas, and Troup. Charles J. Jenkins was chosen president of the convention. Duncan L. Clinch was nominated for governor on the second ballot, receiving 111 votes to 109 for William C. Dawson. A committee presented resolutions which the convention adopted, as follows: (1) endorsement of Crawford's administration as an illustration of the practical benefits of Whig principles in action; (2) commendation of Taylor and other officers for their conduct of the war and recommendation of Zachary Taylor for President of the United States; (3) thanks to John C. Calhoun for his recent course on foreign relations; and, (4) opposition to the Wilmot Proviso. This open endorsement of Calhoun was in marked contrast to the small support given him by the Georgia Democratic convention. This was to be explained, in part, by a fact observed in Georgia somewhat later in the campaign that the Democratic party in South Carolina was the conservative element in politics, while in Georgia the very opposite was true.⁸⁷

The Whigs found themselves immediately plunged into a contest of unexampled fury. Under the lead of Joseph Day of Jones and Tomlinson Fort, the Democrats massed in solid support of George Washington Bonaparte Towns of Talbot, who was already known as a spirited fighter and

⁸⁵ *Southern Recorder*, February 16, March 2, 16, 1847.

⁸⁶ Robert Toombs to J. C. Calhoun, April 30, 1847, *Correspondence of Toombs, Stephens, and Cobb*, pp. 373-374.

⁸⁷ *Southern Recorder*, July 6, September 14, 1847; *Georgia Telegraph*, July 6, 1847; R. H. Shryock, *op. cit.*, pp. 143-144.

a vigorous campaigner. Towns put his opponents on the defensive by going directly to the voters in a series of speeches on the tariff, the Mexican War, and the administration of Polk. Taken aback by the move, the Whigs chided Towns for his undignified departure from the accepted pattern of gubernatorial campaigns and asked what relation national issues had to the administration of Georgia's executive department. When the Democrats asked derisively "Who is Duncan L. Clinch," the Whigs could only reply that he was a veteran of the Florida campaign, a farmer who had gained the confidence of his coastal neighbors, and a loyal supporter of the party during thirty years of public life.⁸⁸ Clinch, however, was unpopular in the democratic interior counties; he made no speeches during the campaign; and the charge of the Democrats that he was not of gubernatorial stature could not be refuted by the record of his thirty years' career. The Democrats described the battle of Withlacoochee Creek as an unimportant skirmish in which Clinch did no more than his duty as an officer. Moreover, they stated as an unchallenged fact that Whig connection with the national party had sealed Clinch's lips on the Wilmot Proviso, then taking its place as a vital question in Southern politics.⁸⁹ In this emergency the Whigs tried to shift their ground to the issue of state finance, in which the administration of Crawford outshone his Union-Democratic predecessors. They insisted that a change of party administration would mean a restoration of the confusion and experiment in public finance which had marked the administrations of Governors Schley and McDonald.⁹⁰

The fall election indicated that the Whig party was stronger than its candidate for governor. Clinch was defeated, though the Whigs won small majorities in the legislature. They elected Andrew J. Miller president of the senate and Charles J. Jenkins speaker of the lower house.⁹¹ For the senatorship beginning March 4, 1847, Berrien was re-elected over Charles McDonald, former Democratic governor of the state. In the election of a senator to be seated March 4, 1849, William C. Dawson was the caucus selection of the Whigs while Walter T. Colquitt was the choice of the Democrats. On the first ballot Dawson received eighty-eight votes, one short of the required majority, and Colquitt received eighty-five votes. For three succeeding ballots Colquitt lost steadily as ten or fifteen votes were cast for one or more of nine minor candidates. On the fifth ballot the Democrats, realizing that Colquitt could not command a majority, tried to shift their strength to David Emanuel Twiggs. In the shift, six votes stood

⁸⁸ *Southern Recorder*, July 13, 27, September 7, 1847; *Georgia Telegraph*, July 20, 27, August 24, 31, 1847.

⁸⁹ *Albany Patriot*, August 11, 1847; *Georgia Telegraph*, August 31, September 7, 1847.

⁹⁰ *Southern Recorder*, August 10, 24, September 28, 1847; James F. Cooper to Howell Cobb, October 20, 1848, *Correspondence of Toombs, Stephens, and Cobb*, p. 130; R. H. Shryock, *op. cit.*, p. 145.

⁹¹ S. F. Miller, *op. cit.*, I, 267; *Southern Recorder*, October 12, November 2, 1847.

by Colquitt, three were cast aside on minor figures, and three went over to Dawson. Twiggs received seventy-six votes and Dawson ninety-one, a majority of only three votes. The election of Dawson was protested by the Democratic members of the state senate on the grounds that the resolution authorizing the election was unconstitutional and the end of Colquitt's term was too remote for the state to be bound by the election. The election of Dawson was achieved by the same system of caucus manipulation that had been repudiated in Georgia in 1832. The restoration of this unpopular method of party dictatorship and the silence of the Whigs on the Wilmot Proviso were fatal errors. Because of these things enough Whigs went over to the opposition to deny the party the advantage of the safe majority it had demonstrated in organizing the houses.⁹²

The nominal Whig majority finally took note of the Wilmot Proviso in the usual report of the committee on the state of the republic. The report made no statement concerning the Proviso "for the reason that we may not all agree." The Whigs, however, professed to see in the Proviso an ultimate aim to abolish slavery, and they presented resolutions denying the power of Congress to pass any law restricting slavery in the states or the territories. The Democrats seized upon the phrase quoted above and offered as a substitute for it an endorsement of the Mexican War and the seizure of Mexican territory to pay for the entire cost of the war. Debate continued for several days, with the Whigs being forced into an ungracious acceptance of the ill-gotten gains of the war which their leaders had denounced so heartily during the preceding year.⁹³

The Whigs carried the fight for Taylor into the legislature despite the uncertain character of their majority. Taylor resolutions were introduced in the lower house and were lost, though one Democratic leader regretted that they did not pass and thus tie the hands of the Whigs for the ensuing campaign.⁹⁴ Another Democrat expressed some amusement at the turn political affairs took in the state legislature. He said:

On the evening of the 22nd, the State House presented a singular and interesting spectacle. The Democracy in the Representative Chamber zealously maintaining the justice, propriety, and necessity for the war. The Whigs in the Senate Chamber, denying these positions, but lauding its achievements and presenting its Hero as their candidate for the Presidency.⁹⁵

The Whig caucus endorsed Taylor and recommended that the counties send delegates to an electoral convention in Milledgeville, representation

⁹² *Senate Journal* (1847), pp. 57, 71-75; *Southern Recorder*, November 16, 1847; *Georgia Telegraph*, November 16, 1847.

⁹³ *Georgia Telegraph*, November 30, December 7, 1847.

⁹⁴ L. J. Glenn to Howell Cobb, February 12, 1848, *Correspondence of Toombs, Stephens, and Cobb*, pp. 95-96.

⁹⁵ E. S. Barclay to Howell Cobb, December 24, 1847, Robert Preston Brooks, "Howell Cobb Papers," *Georgia Historical Quarterly*, V (1921), 31.

to be the same as before the reduction of 1843. The principal address of the evening was by William H. Crawford of Sumter, who was able to inject some degree of enthusiasm into the meeting. The session of the legislature was two weeks longer than usual, and the compensation of members of the lower house was raised to \$5 per day. These things the Democrats threatened to use to secure the defeat of the Whigs, "unless with their usual adroitness they run the people mad after Taylor, as they did after Harrison, and so overlook their extravagant course."⁹⁶

These acts of political significance in the legislature of 1847 marked a noticeable decline in the high level of constructive statesmanship combined with skillful manipulation of political forces which had marked the previous career of the Whig party in Georgia. Nothing of importance was done in the fields of public legislation or state finance. The administration was given a free hand in the matter of closing up affairs of the Central Bank. The governor was empowered to have the Western and Atlantic Railway completed and equipped throughout its entire length. Bonds paying six per cent to an amount of \$37,000 were authorized for this purpose. A charter was also granted to Atlanta, the terminal city of the road. The bonds for redemption of Central Bank bills and liabilities were funded at seven per cent and the governor was given authority to issue at seven per cent whatever bonds might be necessary to pay state obligations during 1848 and 1849. These acts followed the usual pattern of Whig ideas in finance and are important only because they gave to a Democratic governor virtually the same powers formerly granted to Crawford. The penitentiary was granted \$6,000 to pay debts contracted before 1844. One noteworthy act of the legislature of 1847 was the final passage of a constitutional amendment removing the property qualification for the office of governor of the state.⁹⁷ Governor Towns set himself to the task of state finance, and the banks of the state fell readily in line with his plans for carrying the 1847 legislation into effect.⁹⁸

As attention began to veer to the election of 1848, it seemed clear that Georgia Whigs would support Zachary Taylor for President. Taylor's arrival in New Orleans was hailed as the return of a hero, a great man who revealed his true greatness in the democratic simplicity of his character.⁹⁹ Alexander H. Stephens, in typical mild and detached manner, was already weary of Clay's leadership of the Whig party.¹⁰⁰ In the spring of 1848 he intimated that Clay was guilty of bad faith with the party and predicted that Taylor would be the strongest candidate in the conven-

⁹⁶ E. S. Barclay to Howell Cobb, December 24, 1847, *loc. cit.*, p. 32; *Southern Recorder*, December 24, 1847.

⁹⁷ *Acts of the General Assembly* (1847), pp. 6, 20-21, 50, 62-63, 249, 301-302.

⁹⁸ Minutes Executive Department, April 18, 1848.

⁹⁹ *Southern Recorder*, December 10, 1847, quoting the *New Orleans Picayune*, December 2, 1847.

¹⁰⁰ A. H. Stephens to Linton Stephens, January 19, 1848, J. D. Waddell, *op. cit.*, pp. 85-86.

tion.¹⁰¹ There were a few Whigs in Georgia who wished to see Clay nominated, but they were vigorously opposed by Robert Toombs and Ex-Governor George W. Crawford. Toombs, in characteristic fashion, accused Clay of breaking his own word not to accept nomination by the Kentucky convention and of playing catspaw to the Northern anti-slavery wing of the Whig party. Two weeks later Toombs stated that in spite of some Clay support in his district he would retire from politics, should Clay be nominated by the Whig party.¹⁰² At the same time Toombs was pointing out the danger of Clay's nomination and defending Taylor before the bar of public opinion in Georgia. Concerning Taylor he wrote:

The great objection to him seems to be that party harness does not fit him well. Such is undoubtedly the fact. A Whig in principle, . . . he refuses to bind himself even to those with whom he generally agrees, by pledges which may impair his usefulness to his country. . . . These things commend him to my approbation and support. I have not regarded the opinions which have been manufactured for General Taylor by either his Whig or Democratic enemies, or both combined. The country expects to hear from himself in due season, in reference to these opinions.¹⁰³

In fact, Stephens and Toombs were preparing a statement of principles to serve as Taylor's avowal of Whig sentiments. This statement was actually drawn up and received by Taylor after he had issued the Allison letter.¹⁰⁴ In this letter, "Old Rough and Ready" dealt with four questions. On the first, that of party loyalty, he began with the much quoted passage: "I am a Whig, but not an ultra Whig." To emphasize his opposition to "ultraism" he stated further that he intended to act independently of party domination. Secondly, the executive veto should remain, but "should never be exercised except in case of clear violation of the Constitution, or manifest haste and want of consideration by Congress." Thirdly, the questions of tariff, currency, and internal improvements should be left to the will of the people as expressed through Congress. Finally as to the Mexican War, "Our national honor has been vindicated, amply vindicated, and in dictating terms of peace we may well afford to be forbearing and even magnanimous to our fallen foe."¹⁰⁵

With the Allison letter hardly dry on their newspapers Georgia Whigs

¹⁰¹ A. H. Stephens to Linton Stephens, March 1848, R. M. Johnston and W. H. Browne, *op. cit.*, p. 227.

¹⁰² Robert Toombs to James Thomas, April 16, May 1, *Correspondence of Toombs, Stephens, and Cobb*, pp. 103-104; *The Union*, April 15, 1848; U. B. Phillips, *Robert Toombs*, p. 58.

¹⁰³ *Southern Recorder*, May 2, 1848, Robert Toombs to Andrew J. Miller, April 13, 1842, letter for publication.

¹⁰⁴ R. M. Johnston and W. H. Browne, *op. cit.*, pp. 227-228.

¹⁰⁵ *Southern Recorder*, May 2, 1848, Zachary Taylor to Captain J. S. Allison, April 22, 1848; see also *Georgia Telegraph*, June 27, 1848, Zachary Taylor to Captain J. S. Allison, April 22, 1848. The letters in the two newspapers were identical as to principles, but differed slightly in wording.

met in an electoral convention, at Milledgeville, May 8, 1848. Many of the most prominent leaders of the party in Georgia were conspicuous by their absence. Doctor William Terrell of Hancock was elected president and nominated as an elector at large along with Seaton Grantland. Other electoral nominees of some prominence were William H. Crawford and Asbury Hull. George W. Crawford and James A. Meriwether were delegates at large to the national convention. Others were Thomas B. King, Edward Y. Hill, and Nathaniel G. Foster. With only forty-nine counties represented, the vote was cast on the basis of the existing representation in the lower house. Even with such an obviously handpicked convention it was impossible to get a unanimous endorsement of Taylor. The Taylor resolution was qualified by a promise to support any candidate of the Whig party whose views "accord with our own on the subject of the Wilmot Proviso and Southern Rights."¹⁰⁶ The Proviso was not treated in Taylor's Allison letter.

The Allison letter was virtually an ultimatum to the Whig party to nominate Taylor or face the prospect of having him offer as a candidate "untrammelled by party schemes." This Whig national convention met at Philadelphia. The correspondent to whom Georgia Whigs were indebted for their first news of the convention supported Clay on the first three ballots, though the official vote of Georgia was cast for Taylor. On the third the correspondent noticed the beginning of a swing from Clay, headed by "a distinguished New Englander." The Georgia correspondent then joined the majority of the convention in following Webster's support of Taylor, and Taylor was nominated on the fourth ballot. In a wave of enthusiasm, "Clay men and Scott men, Webster men and Taylor men . . . united to do homage to a cause so patriotic and so noble, which was to be sustained by our noble leader." The doubters were not to be howled down, however, and Taylor was denounced as a slaveholder by a delegate from Massachusetts. The motion for unanimous approval was opposed by members from Massachusetts and was finally blocked by two members of the Ohio delegation who refused to break their instruction. The convention required no pledge of General Taylor but refused to approve the Allison letter.¹⁰⁷

Following the state and national conventions, there was a lull in the campaign storm as interest centered on the Clayton Compromise in Congress. The part of this bill that aroused most comment among Georgia Whigs was the provision that virtually placed the question of slavery in California and New Mexico in the hands of the Supreme Court.¹⁰⁸ The Clayton bill was passed in the Senate, July 27, amid a flare-up of sectional bitterness. Berrien followed the lead of Calhoun in supporting the compromise as the best solution for the vexing problem of slavery in the territories. He said:

¹⁰⁶ *Southern Recorder*, May 9, 1848; *Georgia Telegraph*, May 30, 1848.

¹⁰⁷ *Southern Recorder*, June 20, 1848; see also *Georgia Telegraph*, June 20, 1848.

¹⁰⁸ R. M. Johnston and W. H. Browne, *op. cit.*, pp. 228-229.

It leaves that [question] to be decided by the people of the territories, when they are in sufficient numbers to be admitted as States, and are engaged in forming their State constitution. In the meantime if any question of freedom or slavery should arise, the judiciary will take cognizance of it, not by virtue of any provision in this bill, but in the exercise of their pre-existing jurisdiction. . . . To say that we have no right which the highest judicial tribunal would recognize, is to admit that we have no right at all, but such as Congress may be pleased to confer upon us—is to concede in its whole extent the argument which is urged in support of the right of the north to the exclusive enjoyment of these territories.¹⁰⁹

In short, Berrien wished to continue the system of specific compromises which enabled the statesmen of his generation to preserve the Federal Union while each section maintained its peculiar social and economic individuality under the political shibboleth of state rights. That many political leaders in Georgia were in agreement with Berrien on this fundamental tenet was indicated by the high praise which his speech received from both Whigs and Democrats.

Toombs and Stephens bitterly opposed the Clayton Bill in the House of Representatives and took a more aggressive stand in behalf of their section. Toombs demanded that slavery be recognized in the new territory by specific act of Congress though such might be a signal for disruption of the Union.¹¹⁰ As usual, Stephens spoke with less heat and more light than did Toombs. In a speech, August 7, 1848, Stephens summed up the situation as he saw it: (1) the bill placed the question of slavery or no slavery in the hands of the Supreme Court; (2) the Constitution recognized and protected slavery only where it existed by law of state or place; (3) all laws of California and New Mexico not inconsistent with the Constitution were still in force; (4) slavery at the time of the conquest was prohibited by express law; and, (5) the bill would be, therefore, "a total abandonment and surrender of the rights of extending the institutions of the South to those territories."¹¹¹

With the leaders of the party at loggerheads on the very eve of the election, Georgia Whigs were alarmed. The *Southern Recorder* tried to escape the dilemma by a plea for toleration and peaceful disagreement "on this as on other doubtful points." Letters strongly condemning Stephens poured into the editorial hopper. Stephens himself wrote from Crawfordville that he had acted conscientiously for the protection of Southern rights without regard for Calhoun or Berrien and in the consciousness that he was not bound to follow any man. Whereupon, the rain of anonymous offerings by "no Ultraist," "Atticus," "A Whig," and

¹⁰⁹ *Southern Recorder*, August 29, 1848; see also *Georgia Telegraph*, September 5, 1848.

¹¹⁰ P. A. Stovall, *op. cit.*, p. 61.

¹¹¹ R. M. Johnston and W. H. Browne, *op. cit.*, pp. 228-231.

others threatened to become a deluge. When one of the disputants threatened to identify his opponent as one of the leaders of the party (probably Charles J. Jenkins), the editor was impelled to close the fight with a plea for no more of the acrimonious contributions.¹¹² But the fire of bitter personal vindictiveness was loosed, and no amount of editorial solicitude could halt its ravages.

Stephens was unanimously renominated for Congress by his district convention. The Democrats became alarmed lest their own members join in the Whig affray for the love of a fight, if for nothing more. Herschel V. Johnson pleaded with John C. Calhoun for a strong letter "in vindication of the bill and in reply to the ground assumed by its opponents" in Georgia.¹¹³ In reply to a question by the *Federal Union*, the leading Democratic organ, Stephens declared that he did not believe Congress had the authority to prohibit slavery in the territories or that the Constitution secured slave property in states where slavery was prohibited by law. The same principle would apply with equal force in a territory and in such a case it was the duty of Congress to pass legislation explicit enough that the courts could protect the rights of all sections.¹¹⁴ Before the publication of this letter, Stephens and Toombs met Johnson and Walter T. Colquitt in a joint debate at Forsyth. According to Whig reporters, Toombs demolished the national Democratic platform, and "scorched" Johnson in the exchange of personal regards incident to the occasion. The same report had it that Colquitt was more cautious in attacking "Little Ellick" than he had been in past encounters, and Stephens was free to devote an hour and a half to eloquent rebuttal against the charge that his action on the Clayton Bill constituted treason to the South.¹¹⁵

It seems that the "Traitor to the South" phrase, which ultimately came near costing Stephens his life, was first reported to Stephens as the utterance of Judge Peter Cone, a Democratic leader. Stephens boasted to his friends that he would slap Cone's jaws if he admitted having made the statement. Letters concerning the insult were exchanged, and an encounter between Stephens and Cone at Glades in Putnam County passed off in friendly fashion when Cone denied making any such charge. Other letters followed, and on Sunday, September 10, 1848, the two men met again in the lobby of the Atlanta Hotel. This time Cone demanded that Stephens give him a verbal reply to a letter Cone had written a few days earlier. Stephens replied that his response was already in the mail and, upon Cone's insistence, flatly refused to give a direct explanation of the contents of

¹¹² *Southern Recorder*, August 15, 22, 29, September 5, 1848.

¹¹³ H. V. Johnson to J. C. Calhoun, August 25, 1848, C. S. Boucher and R. P. Brooks, "Correspondence Addressed to John C. Calhoun, 1837-1849," *Annual Report of the American Historical Association*, 1929, p. 470.

¹¹⁴ A. H. Stephens to *Federal Union*, August 20, 1848, *Correspondence of Toombs, Stephens, and Cobb*, p. 470.

¹¹⁵ *Southern Recorder*, September 5, 1848.

his letter. Both men became heated, and Cone denounced Stephens as a traitor to the South. Stephens at once struck Cone across the face with a small walking cane. Cone stabbed Stephens with a large knife, Stephens struck again with the cane, and Cone stabbed again with such force that Stephens was knocked to the floor. Cone then bent over Stephens, stabbing and slashing him in all seven times.¹¹⁶ For a time it seemed as if Stephens would not be able to resume the campaign. Five days later, however, he was able to sit on the platform in an Atlanta mass meeting after assuring the crowd in good spirit that he needed "nothing more" of appeals to physical force in political discussion.¹¹⁷

The effect of the Stephens-Cone affair on the election of 1848 in Georgia can not be assessed finally and exactly. Soon after the affair Cone published his version of the affair. He did not attempt to defend himself, but simply pointed out that a remark which Stephens accepted at the meeting in Putnam County as friendly banter had been the beginning of a feeling of resentment on Stephen's part. When Stephens struck him across the face, he became enraged beyond self-control and in such a mood committed "an act which I shall regret as long as I live." There was, of course, much assessing of blame on both sides; but regardless of primary blame, two facts stood out. Stephens was a small man and physically weak to the point of actual frailty; Cone, the larger and stronger by far, wielded a knife and continued pressing his advantage after the weaker man was down. These things, according to Democratic confession, caused a loss of Democratic votes in spite of the ridicule which the Democratic press poured on Stephens as the "murdered Caesar."¹¹⁸ Stephens' near martyrdom furnished the Whigs an element of human drama counteracting the disintegrating influence of Taylor's unpopularity and the disagreement among state leaders. Berrien had early in the spring expressed his preference for Clay as the embodiment of union through compromise, and only in a private letter had he gone so far as to pledge himself to follow the lead of the national convention should Taylor be nominated.¹¹⁹ Then followed the rift over the Clayton compromise and the publication of hot words from Stephens that presaged ill for the Whig party in Georgia. The Atlanta meeting, September 15, 1848, however, was a veritable love-feast for the giants of Georgia Whiggery. Andrew J. Miller was chosen president, and Stephens' brief appearance was followed by enthusiastic speeches from George W. Crawford, William C. Dawson, Robert Toombs,

¹¹⁶ Peter Cone to A. H. Stephens, August 26, 1848, Stephens to Cone, August 29, 1848, *Southern Recorder*, September 12, 1848. This issue of the *Recorder* also carried an account of the affray from the *Atlanta Miscellany*. Cf. R. H. Shryock, *op. cit.*, pp. 232-233.

¹¹⁷ *Southern Recorder*, September 19, 1848.

¹¹⁸ *Georgia Telegraph*, September 19, 1848; *Albany Patriot*, March 3, 1849; G. S. Houston to Howell Cobb, October 23, 1848, *Correspondence of Toombs, Stephens, and Cobb*, pp. 131-132.

¹¹⁹ J. M. Berrien to A. F. Owen, March 28, 1848, S. F. Miller, *op. cit.*, I, 78.

John M. Berrien, and several of the minor figures nominated as electors in the May convention. It was claimed that 4,000 people attended the meeting by railway alone. Later Berrien came out squarely for Taylor on the doctrine that a Southern man under the least favorable circumstances was to be preferred to a Northerner. He said in a public letter a few days before the election: "General Taylor is identified with us in feeling and interest—was born in a slaveholding state—educated in a slaveholding state—is himself a slaveholder."¹²⁰

Millard Fillmore was the Whig nominee for Vice-President. Fillmore had been sympathetic with abolitionists and admitted voting for the reception of abolition petitions in Congress.¹²¹ The Democratic press, of course, brought these things to the attention of Georgia voters, along with Fillmore's support of the Wilmot Proviso, and reminded them that a vote for Fillmore would necessarily accompany each vote for Taylor.¹²² The Democrats pushed these things so heartily that "it gave an excuse to all Democrats who wanted to go back to their party to abandon Taylor."¹²³ To counteract these influences, the Whigs were forced to make the most determined and active canvass during the party's existence in Georgia. Whig campaigners circulated hand bills, coaxed, and cajoled voters for days in advance of meetings where leaders of state and nation-wide repute presented the Whig claims for support at the polls. The Democrats boasted gleefully of seeing that "some staunch Democrats" attended each Whig meeting and carried back to their district supplies of the Democratic ticket.¹²⁴ While speakers and workers thus carried the fight into every county, Whig editors emphasized the necessity of the South keeping the executive arm of the government safe for slavery and Southern rights in the Union at any cost.¹²⁵ The Whigs were successful in their attempt to connect Lewis Cass, the Democratic nominee, with the Wilmot Proviso and anti-slavery sentiment, and their victory in Georgia was achieved because they won more Democratic votes from Cass than they lost by virtue of their own divisions and distractions. The congressional elections resulted in the four-four division of the two preceding elections. Toombs, Stephens, and King were returned by the Whigs, and Allen F. Owen was elected from the third district. The weakness of Cass resulted in the lessened majorities in the remaining four Democratic districts.¹²⁶

¹²⁰ *Southern Recorder*, September 19, October 24, 1848; R. H. Shryock, *op. cit.*, p. 161, states that Berrien supported Clay.

¹²¹ *Southern Recorder*, July 23, 1848.

¹²² *Georgia Telegraph*, July 23, 1848.

¹²³ Robert Toombs to J. J. Crittenden, September 17, 1848, *Correspondence of Toombs, Stephens, and Cobb*, p. 128.

¹²⁴ J. F. Cooper to Howell Cobb, October 20, 1848, *Correspondence of Toombs, Stephens, and Cobb*, pp. 130-131.

¹²⁵ *Southern Recorder*, September 26, October 31, 1848; *Albany Patriot*, September 23, 1848.

¹²⁶ *Southern Recorder*, October 10, November 14, 1848; *Georgia Telegraph*, October 3, 10, 1848; U. B. Phillips, *Georgia and State Rights*, p. 150.

Two circumstances of prime importance to the Whig party in Georgia emerged from the election of 1848. In the first place, the election brought into the open a cleavage between the elder statesmen in the party and the rising younger leaders. For a time, it seemed that this cleavage went deeper than political rivalry and struck into the substratum of the Southern attitude toward the Federal Union. It was clear that the agreement to support Taylor and Fillmore was a temporary truce that would be broken at the first sign of hostility in either camp. Georgia Whigs, however, had invariably been masters of the delicate art of harmonizing the rival claims of powerful leaders, and they might have looked confidently to the future but for the second disturbing circumstance of the election of 1848. This was the undeniable sectional cleavage which cut athwart party lines in Georgia for the first time. Zachary Taylor entered the presidential campaign in Georgia as a national hero of the most democratic type; he emerged from the campaign as the symbol of a section's demand for protection of its chief economic interest. Taylor received the electoral vote of Georgia not because he was the accepted choice of a majority of voters, as had been the case with Harrison in 1840 and Polk in 1844, but because the Whigs possessed party organization and propaganda machinery capable of convincing the voters that Taylor and Fillmore were less dangerous to the dominant economic interest in Georgia than were Cass and Butler.

During the forties the political struggle in Georgia oscillated back and forth between state and Federal issues. Important issues in state politics were public finance, currency control, the building of the Western and Atlantic Railway, and the congressional district bill. Federal issues creating party division were the tariff, a national banking system, the distribution of the surplus revenue, the claims of various leaders on the support of Georgia voters, and the problem of expansion which opened up the explosive question of slavery in the territories. Georgia Whigs worked consistently for economy of state funds, removed the control of state finance from the Central Bank, took practical steps to eliminate worthless currency, gradually and safely forced the resumption of specie payment, and continued the building of the Western and Atlantic Railway by the erection of a corporation under state auspices that issued bonds and interest-bearing scrip to meet its financial obligations. The political chicanery of the Whigs in dividing the state into congressional districts was not clearly set forth in the public records of the day, but evidence indicates that they planned to derive the full benefit from their undoubted strength in middle Georgia and were prevented from a gerrymander by the hue and cry raised by Democratic leaders.

Georgia Whigs during the forties not only deserted the particularistic doctrines of their State Rights forbears, but they also joined themselves bodily to the national Whig party. The State Rights party was a state party interested in Federal issues; the Whig party in Georgia was an in-

tegral part of the national Whig party and had to suffer in state politics for the sins of the national organization. The question broke into practical politics with the Berrien instruction imbroglio of 1841 and 1842. The Whigs supported the view that a United States senator was independent of the state legislature since he represented the people as citizens of the state and was an agent of the accumulated sovereignties of the states in the Senate. From this stand it was an easy step in logic and political ideology to regard the tariff, public revenue, and distribution of the surplus as questions of general import that affected all sections of the country alike. After all, the protective system which seemed to make the surplus revenue possible might be described as class legislation. Georgia Whigs spoke the sentiments of a significant minority of opinion in the state when they defended protection "incidental" to collecting the revenue as a means of raising the general level of prosperity and encouraging every state in the Union to develop a well-rounded system of agriculture and manufacturing. With the question of the annexation of Texas they had greater difficulty. The defense of the Wilmot Proviso by Northern Whigs clashed squarely with Southern demands for expansion of the cotton-slavery system and brought to Georgia politics the beginning of a sectional cleavage that broke down party lines of a generation's standing. Henry Clay and the Georgia Whigs evaded this phase of the annexation question in 1844 and thereby lost the election. The party nominated Zachary Taylor, a Southern slaveholder, against the wishes of Northern Whigs, and elected him to the presidency in 1848. The personal and sectional animosities planted during that campaign quickly proved to be the seeds of destruction of the party in Georgia. Henceforth, issues in party politics in the state were strongly influenced by the "soundness" of national leaders on the Southern demands concerning slavery. Georgia Whigs had distinct advantages in prestige and public standing on that question over their Democratic adversaries. But when the issue of slavery as a social institution gave way before the purely political issue of sectional advantage in the Federal Union, the Whigs lost ground and went down in defeat at the hands of a militant Democracy that subordinated everything else to the demand for sectional advantage. The next chapter of this study is the story of that final defeat of the Whig party in Georgia.

CHAPTER VII

DECLINE AND DISINTEGRATION OF THE WHIG PARTY, 1849-1853

After 1848, the Whig party never revived interest in the state issues that brought victory in the early and middle forties. Throughout the last years of the party's existence its controlling forces issued from Washington, and local leaders took their cues from the capital city. When Congress met for the short session of 1848-1849, the question of slavery in the territories was already becoming acute. On December 23, 1848, a meeting of Southern representatives and senators was held in the Senate chamber to deliberate on measures for the protection of Southern rights. Resolutions were adopted which declared that the United States government possessed delegated powers only, that Congress had no right to destroy or impair the right of property in slaves in the District of Columbia or in the states, that equality of the states was a fundamental principle of the Union, and that free men could not submit to a law that would deny equality of the states in the settling of the territories. On these general principles the Southerners could agree with a fair degree of unanimity. On the question of a more specific statement of Southern views concerning the immediate problem of slavery in the territories, a committee of fifteen, one man from each slave-holding state, was appointed. This committee, headed by Alexander H. Stephens, was directed to report to the whole body, January 15, 1849.¹ The Georgia Whigs, with the possible exception of John M. Berrien, were opposed to the whole movement and went into the meeting to control it and, if possible, to kill it entirely. The motion which created the committee was made by Stephens with this idea and purpose in mind. When the committee met, December 30, 1848, the extremists at once took the offensive. John C. Calhoun threw down the gauntlet in a strongly worded challenge for action by the Southern leaders who saw in the slavery question a threat of disunion. At a subsequent meeting of the committee Calhoun's report was adopted for submission to the full meeting by a vote of eight to seven, Stephens voting with the minority.²

When the full body of Southerners met, January 15, 1849, an open break occurred in their ranks. Robert Toombs, prodded by Calhoun, stated the aims of the Whigs and declared that they would not join in a movement that led in the direction of disunion.³ The Whigs attacked the Calhoun re-

¹ *Southern Recorder*, February 13, 1849.

² Robert Toombs to J. J. Crittenden, January 3, 1849, *Correspondence of Toombs, Stephens, and Cobb*, p. 139; *Southern Recorder*, January 2, February 13, 1849.

³ Robert Toombs to J. J. Crittenden, January 22, 1849, *ibid.*, p. 141.

port from the committee, but were defeated in a test vote. After bitter debate the report was recommitted by a majority of one vote. Stephens and three others resigned from the committee, and Berrien was appointed in Stephens' place.⁴

At meetings of the reconstituted committee on January 18 and 20, Berrien succeeded in changing the whole tenor of the address to a mild tone of nation-wide appeal for harmony and good will. This address constituted a minority report to the whole meeting, January 22, 1849, and thus joined the issue between the extremists and the moderates. The Whigs, however, could not muster their full strength behind the Berrien report because many of their group were opposed to issuing any statement whatsoever, and they withdrew from the meeting before the final vote. Consequently, the substitution of Berrien's report for Calhoun's address was lost and the Calhoun address was adopted. These votes simply indicated that the Southern Whigs were divided on the question of a statement of principles by a sectional group. Robert Toombs, Alexander H. Stephens, and Thomas B. King refused to follow the lead of Berrien. Under such circumstance and under the influence of Calhoun, the Democrats were able to adopt in the full meeting, January 22, 1849, an "Address of the Southern Delegates in Congress to their Constituents."⁵ Instead of emphasizing the value of the Union and appealing for harmony, the address was a challenging call to the South for united action and feeling "in repelling a blow so dangerous [to Southern property rights in the territories] without looking to the consequences." Of the Georgia delegation only Herschel V. Johnson signed the Calhoun address.⁶ Johnson, a Democrat, was appointed to the Senate by Governor Towns and took his seat February 14, 1848. At this time Johnson was far in advance of his party on the question of immediate action for Southern rights; for most Democratic as well as Whig leaders in Georgia were under the spell of the cohesive power of the spoils of national party warfare.⁷

Politics marked time in Georgia for some weeks after the issuance of the Southern Address. The Democrats had somewhat the better position for waiting, since they had not wasted ammunition in the preliminary skirmish at Washington. Georgia Democrats were not yet ready to follow Calhoun into a sectional party, and they could not forget their local differences with the Whigs; consequently, they maintained their independence from Calhoun and waited for the Whigs to desert Taylor and come to their standard.⁸ Howell Cobb, leader of the Georgia Democrats, issued

⁴ *Southern Recorder*, February 13, 1849.

⁵ T. H. Benton, *op. cit.*, II, 733-734.

⁶ Robert Toombs to J. J. Crittenden, January 22, 1849, *Correspondence of Toombs, Stephens, and Cobb*, p. 142; *Southern Recorder*, January 23, 30, February 13, 1849.

⁷ Percy Scott Flippin, *Herschel V. Johnson*, p. 7; *Albany Patriot*, March 17, 1849.

⁸ Hopkins Holsey to Howell Cobb, February 13, 24, 1849, *Correspondence of Toombs, Stephens, and Cobb*, pp. 148-154.

an address which appealed to the Whigs on the grounds that Northern Democrats had been consistent friends of the South while Northern Whigs had inclined more and more to fanatical opposition to Southern interests.⁹ The Democratic press in Georgia continued to emphasize the Whig support of the Wilmot Proviso and the growing number of Whigs in Congress associated with abolition.¹⁰ In Cobb's district his refusal to sign the Southern Address was highly acceptable. John Henry Lumpkin discussed the matter thoroughly with his father, Wilson Lumpkin, who had been an outstanding leader in the Troup party and had taken active part in the formation of the Union-Democratic party. Following this conversation, the younger Lumpkin assured Cobb that he would never give his support to a party which made "the love of negroes and the defense of their rights connected with them as paramount to every other consideration." Rather did he look forward to the time when the Democratic party of the South would be purged of "Calhoun, Calhoun men, and Calhounism," though such a move might reduce its number to a corporal's guard. These demands for a party that could honestly wear the democratic label were bitterly execrated by the Calhoun men in Georgia.¹¹

The Whig leaders, however, did not break ranks and were soon busy with the practical problems of dividing the spoils of victory. George W. Crawford's appointment as Secretary of War both heartened the Whigs of Georgia concerning Taylor's attitude to the South and raised hopes for lesser appointments for other Georgia leaders.¹² The gubernatorial convention met on June 25, 1849, and nominated Edward Y. Hill of Jasper with little appearance of difficulty or disagreement. Resolutions branded the Wilmot Proviso "as violative of all the Compromises of the Constitution, and making an unjust discrimination against the people of the South," and expressed full confidence in Taylor as President of the United States. This was offered as a statement of confidence to offset the effect of Taylor's lack of commitment on the Proviso. It failed, however, in its purpose of winning back the support which the Whigs lost in the legislature of 1847 by their equivocal attitude toward the Wilmot Proviso.¹³

Judge Hill was highly respected as a member of the Georgia bench and had been active in state politics for a decade and a half.¹⁴ Born in South Carolina, he removed to Jasper County in his early youth. He attended Franklin College, practiced law at Monticello, and supported the building of the state railway as a member of the state legislature. He

⁹ R. P. Brooks, "Howell Cobb Papers," *loc. cit.*, pp. 42-46.

¹⁰ *Albany Patriot*, January 20, 1849.

¹¹ John H. Lumpkin to Cobb, March 12, 1849, J. W. Burke to Cobb, March 22, 1849, *Correspondence of Toombs, Stephens, and Cobb*, pp. 156-158.

¹² A. H. Stephens to G. W. Crawford, March 2, 1849, *ibid.*, pp. 155-156.

¹³ *Southern Recorder*, June 26, July 31, 1849; *Georgia Telegraph*, July 3, 1849.

¹⁴ George White, *Collections*, p. 652.

waged a vigorous pre-convention campaign in which he won support of many leaders of the party.¹⁵ The campaign was not conducted, however, with regard to personal fitness or political experience. A group of Democrats headed by Joseph Day addressed a series of questions to Judge Hill concerning the Wilmot Proviso, the Clayton Compromise, and the calling of a convention to protect Southern rights. When it appeared that Hill would not reply to these questions, the Whig organ addressed similar questions to Governor Towns and stated that they were for the same purpose as Day's, i.e., to embarrass the candidate of the opposition.¹⁶ Hill's avoidance of these national issues and Towns' popular administration gave Towns the largest majority since the Whig "redemption" of 1843.¹⁷

In both houses of the legislature the Democrats won small but uncertain majorities. The Whig nominee for president of the senate, Andrew J. Miller, was defeated by William B. Wofford. In the lower house Charles J. Jenkins was defeated for speaker on the fourth ballot by James C. Anderson of Chatham.¹⁸ In the election of judges the Democrats feared that the Calhoun followers would enter candidates in opposition to the caucus choices and elect them with the aid of Whig votes.¹⁹ Since the Whigs cared no more for Calhoun allies than did the regular Democrats, strict party lines were observed and Democrats were elected by small majorities.²⁰ In fact, only a small minority of political leaders in Georgia looked with favor on Calhoun's extreme plan for protection of sectional interests. Both the Whig party and the Democratic party were basically Union parties, and both were highly suspicious of South Carolina leadership after the fiasco of 1832. In 1849 Georgia was not aroused over Northern "aggressions" to the point of countenancing disunion. Hence the anxiety of the Democrats to assure people and politicians that the Southern rights movement was an effort to keep the union firmly fixed on the time-tested basis of sectional compromise. The Whigs, however, insisted that the Democratic party, under the lead of Calhoun, would hurry the South straight into disunion.

With party lines thus drawn on national issues and party rancor heightened by the quarrel over state spoils, the legislature of 1849 early took up the question of resolutions and acts concerning Federal relations. Resolutions acceptable to the Democratic majorities were submitted in both houses. These were referred to the joint committee on the state of the re-

¹⁵ *Southern Recorder*, July 10, 1849; A. H. Stephens to G. W. Crawford, March 2, 1849; *Correspondence of Toombs, Stephens, and Cobb*, pp. 155-156.

¹⁶ *Southern Recorder*, September 18, 25, 1849; R. H. Shryock, *op. cit.*, p. 200.

¹⁷ S. F. Miller, *op. cit.*, I, 267; R. H. Shryock, *op. cit.*, pp. 199-200.

¹⁸ *Southern Recorder*, November 6, 1849; *Georgia Telegraph*, October 16, 1849.

¹⁹ John H. Lumpkin to Howell Cobb, October 19, 1849, *Correspondence of Toombs, Stephens, and Cobb*, p. 176; *Georgia Telegraph*, November 6, 1849.

²⁰ *Southern Recorder*, November 20, 1849; Shryock, *op. cit.*, pp. 209-217.

public, headed by Jenkins and Miller, defeated Whig leaders,²¹ who were doubtlessly named to these positions in an effort to prevent the obstructive and often successful tactics of Whig minorities in blocking programs of Democratic majorities. Nevertheless, Jenkins offered in the lower house a series of resolutions decrying party division in Federal affairs, recognizing just leadership whether North or South, and directing the governor to correspond with representatives and senators from Georgia concerning Federal relations during the recess of the General Assembly for the information of the next state legislature. The resolution on party read: "Until the people of the South are ready to yield mere party to the great interest of the South, we do not believe anything effectual can be done about it." Jenkins' resolutions were passed in the lower house, but the same resolutions offered in the senate by Miller were defeated by a strict party vote on a motion by Joseph Emerson Brown of Cherokee.²²

When the report of the committee on the state of the republic was made, the real line of party cleavage appeared. The resolutions restated the general principles of the nature of the Union and the South's danger as already set forth in the resolutions of the Southern representatives at Washington the previous winter. They carried out the application of the call for Southern unity in the "Southern Address" by stating specifically the exigencies which should be considered as sufficient occasion for the calling of a state convention. They were as follows: passage of the Wilmot Proviso, the admission of California with prohibition of slavery, the abolition of slavery in the District of Columbia, or the refusal of the Northern states to deliver fugitive slaves.²³ The Whigs made their strongest fight against the calling of a state convention. Some Whigs held that the extension of the Missouri Compromise line to the Pacific was the proper solution. A resolution embodying this doctrine was lost in the senate without respect to party lines.²⁴ After losing several amendments to the resolution concerning state action, Andrew J. Miller made the last stand of the Whigs in the senate on a substitution for the entire resolution. Without specific mention of the Proviso or the admission of California to statehood, Miller's resolutions stated "that in the event of any legislation by Congress in violation" of the resolutions, the people of Georgia should meet the other Southern states to consider the "mode and measure of redress."²⁵ This motion was lost, though it served its purpose of showing that the Whig leaders in Georgia wished to prevent at any cost the calling of a state convention under Democratic auspices.

²¹ *Senate Journal* (1849-1850), pp. 52-53, 63-64; *Southern Recorder*, December 4, 1849.

²² *Senate Journal* (1849-1850), pp. 285-286; see also *Southern Recorder*, December 25, 1849.

²³ *Acts of the General Assembly* (1849-1850), p. 409.

²⁴ *Senate Journal* (1849-1850), p. 478; *Southern Recorder*, February 5, 1849.

²⁵ *Senate Journal* (1849-1850), pp. 489-490.

Many Whigs considered a convention called on the ground of admission of California as certain of failure and, therefore, likely to weaken the South's position.²⁶ Nevertheless, when the final vote on the Democratic resolutions for state action came in the senate, only Elias Beall and one other voted with Miller in opposition.²⁷ By this time interest had already shifted to the calling of a Southern convention, and, on the following day, the governor signed a joint resolution providing for the election of delegates to the Nashville Convention. The Democrats pressed their victory and virtually made sure the calling of a state convention by the passage of a bill of the same tenor as the foregoing resolution. This bill provided that should Congress pass any law prohibiting slavery in the territories or the District of Columbia; should Congress prohibit the slave trade or admit California or New Mexico as then organized; should the governor receive any evidence that fugitive slaves had been withheld from their owners, it would be his duty to call for an election of delegates to a state convention.²⁸ In the votes on these measures the Democratic majority was increased by the defection from Whig ranks of a Southern rights group. The regular Whigs were opposed to the Southern rights movement, but they supported the lesser evil of a Southern convention in a vain effort to prevent the calling of a state convention.²⁹ Georgia Whig leaders at this time could have appeared before the bar of public opinion with clean hands, but they realized that the attitude of the national party on the Wilmot Proviso would mean their defeat.

The real test of party strength in the legislature of 1849-1850 came on the question of the state system of representation. The fight began on December 8, 1849, when bills providing for remaking the state senatorial districts were introduced in both houses.³⁰ The lower house passed the bill with slight debate, and the senate referred its bill to a select committee headed by Andrew J. Miller.³¹ A majority report from this committee recommended passage of the bill, which both parties claimed would insure a Democratic majority in the senate. The minority report of the same committee, which was signed by Miller, set forth the views of the Whigs. They declared themselves opposed to the bill because changes in districts meant instability of representation and because they questioned the authority of the legislature to change the basis of representation except by a constitutional amendment.³² After several days of spirited debate, the senate passed the bill by a vote of twenty-two to nine. A motion to carry the bill immediately to the house was lost, however, without a re-

²⁶ *Southern Recorder*, February 12, 1849.

²⁷ *Senate Journal* (1849-1850), p. 490.

²⁸ *Acts of the General Assembly* (1849-1850), pp. 122-123, 418.

²⁹ Cf. R. H. Shryock, *op. cit.*, pp. 217-234.

³⁰ *House Journal* (1849-1850), p. 216; *Senate Journal* (1849-1850), p. 174; *Georgia Telegraph*, December 18, 1849.

³¹ *House Journal* (1849-1850), p. 405; *Senate Journal* (1849-1850), p. 255.

³² *Senate Journal* (1849-1850), pp. 335, 337; *Southern Recorder*, January 22, 1850.

corded division.³³ In the meantime, a constitutional amendment granting each county one senator had been passed in the senate and carried to the house where it was passed with most Whig votes in the affirmative.³⁴

Coupled with the bill to reorganize the state senatorial districts was a congressional district bill. It was introduced in the senate on the same day as the state senatorial bill and was passed by a party vote a week preceding the passage of the companion bill.³⁵ The congressional bill was reported to the house, February 11, and precipitated one of the most violent partisan fights in the stormy history of the Georgia legislature. After a day of obstructive tactics the Whigs began, February 12, their final desperate defense of the representative system they had set up in 1843. Every Whig member except Charles J. Jenkins left the hall.³⁶ The Democrats had a majority in the house, but several members from the Cherokee counties were in accord with the Whigs on the question of representation.³⁷ Others were absent without leave, and one Democrat left Milledgeville, February 12, to visit a sick member of his family.³⁸ On the third roll-call of February 12 a quorum was present and the congressional bill was passed with fifty-seven votes in support and eight in opposition. The next day Jenkins moved to reconsider the congressional bill. On the subsequent roll-call only sixty-two members were present, Jenkins' motion was laid on the table as unfinished business, and the speaker declared a quorum not present.³⁹

Pressure was brought to bear on the recalcitrant Whigs in various ways. When the Democrats taunted them with the charge of desertion of public duties, the Whigs replied that their action was for the purpose of preventing party tyranny, and that their absence was no more desertion than the absence of the five or six Democrats which broke their party's power.⁴⁰ On February 15 the speaker gave to the messenger a list of the Whig absentees and ordered him to warn them to appear in their seats. Before he could leave the house chamber, however, the list was snatched from his hand. A second list was likewise seized and destroyed, and when the messenger attempted to notify members by memory, he was seized bodily and carried downstairs. The climax of the horseplay was later reported by the messenger. "At the foot of the stairs Mister Spalding jerked me loose, they laughed and said they were only funning with me."⁴¹

In the meantime, attempts were made to adjust the difficulty between

³³ *Senate Journal* (1849-1850), p. 403; *Georgia Telegraph*, January 22, 29, 1850.

³⁴ *House Journal* (1849-1850), pp. 491, 679; *Acts of the General Assembly* (1849-1850), p. 120. This amendment was not ratified by the next legislature.

³⁵ *Senate Journal* (1849-1850), pp. 167, 320.

³⁶ *House Journal* (1849-1850), pp. 814-816; L. B. Wylie, *op. cit.*, p. 275; *Georgia Telegraph*, February 19, 1850.

³⁷ R. H. Shryock, *op. cit.*, p. 235.

³⁸ *House Journal* (1849-1850), p. 842; *Southern Recorder*, February 19, 1850.

³⁹ *House Journal* (1849-1850), pp. 814-816, 842.

⁴⁰ *Southern Recorder*, February 19, 1850.

⁴¹ *House Journal* (1849-1850), p. 345.

the parties. The Democrats offered "to suspend the present standing order of the House" until the pressing matter of taxes and appropriations should be settled. The Whigs, however, refused to return except "upon condition, that the motion to reconsider the Congressional bill be postponed for further consideration."⁴²

After a week of deadlock, a request for advice and cooperation was made of Governor Towns. He refrained from involving himself in the imbroglio, but advice from the floor of the house was offered in a resolution requesting the speaker to enforce fines against absentees, to appoint a teller to count members present, and to proceed with the business of the house.⁴³ The next day, February 19, 1850, the chair declared a quorum present and received committee reports on several local bills. When the tax and appropriations bills from the senate were brought in, the chair called for "the unfinished business" on the table. This, of course, meant Jenkins' motion to reconsider the congressional bill. The speaker then challenged the Whigs present in the chamber by an arbitrary statement that Jenkins' motion was lost. A Whig member immediately appealed the decision of the chair and called for a quorum. Of the sixty-two members who answered the roll-call, only the two Whigs who had moved the roll-call and seconded it were recorded as present. Later in the day, however, sixty-four Democrats were present at a roll-call.⁴⁴ It was also reported that several of the missing Democrats had returned to Milledgeville and that one Democrat was discovered asleep in the room of a Whig member.⁴⁵ The next morning, February 20, James A. Nisbet of the Whigs responded to his name on the first roll-call with a statement of explanation. He had left the chamber, he said, merely "to manifest his resentment against a gratuitous and unnecessary wound," since another congressional bill would have to be passed following the census of 1850. He had returned because of his sense of duty and the importance of the tax and appropriations bills yet to be acted upon.⁴⁶

Several considerations weakened the force of Nisbet's ready interpretation of this incident. The Democrats had a quorum present, February 20, 1850, without counting Nisbet. Without doubt, Nisbet and other Whigs knew that the visiting and sleeping Democrats would be present that day. Two days after the restoration of the quorum in the house the senate bill for reforming the state senatorial districts was indefinitely postponed without a roll-call.⁴⁷ Just one month earlier a similar bill had been passed by the house with only seventeen votes recorded against it.⁴⁸ In the light of these facts, it seems clear that the Whigs accepted the con-

⁴² *Southern Recorder*, February 19, 1850.

⁴³ *House Journal* (1849-1850), p. 847.

⁴⁴ *Ibid.* (1849-1850), pp. 849-852.

⁴⁵ *Georgia Telegraph*, February 26, 1850.

⁴⁶ *House Journal* (1849-1850), p. 855; *Southern Recorder*, February 26, 1850.

⁴⁷ *House Journal* (1849-1850), pp. 853, 912.

⁴⁸ *Ibid.* (1849-1850), p. 405.

gressional bill on condition that the basis for representation in the state senate not be changed.

No doubt the Whigs gave up their claim on party parity in Federal representation with less reluctance because of the unpromising character of reports emanating from Washington. In a Whig caucus, December 1, 1849, Robert Toombs offered a resolution demanding that Congress place no restrictions on slavery in the territories.⁴⁹ Alexander H. Stephens supported the resolution and urged Northern members not to press the Wilmot Proviso or the abolition of slavery in the District of Columbia. The Northern wing of the Whig party refused to accede to these demands and made it plain that no slaveholders would be given office in the Federal government. Whereupon, Stephens, Toombs, and several other Southern Whigs left the caucus.⁵⁰ The Southern Whigs refused to support Robert C. Winthrop, the caucus nominee for Speaker of the House of Representatives, and a long deadlock ensued. Finally, enough Whigs went over to the Democrats to pass a plurality rule, and Howell Cobb of Georgia was elected Speaker of the House. The Whig members from Georgia asked the Democratic leaders for a pledge that they would not override the rights of the South in the territories. Failing to secure such a pledge, they refused to support either Cobb or Winthrop for the speakership. On the floor of the House of Representatives, Toombs bitterly assailed the attempt to restrict slavery in the territories and the repudiation of the Missouri Compromise in the admission of California as a free state.⁵¹ In the Senate Berrien made his strongest thrust at the abolition of slavery in the District of Columbia and warned his hearers that disunion might be brought on by such a course of action.⁵²

Stephens was thoroughly aroused, and in letters to his brother Linton, then in the Georgia legislature, he repeated his fears of the breakup of the Union. He even advised Linton to offer bills "for reorganizing the militia, for the establishment of military schools, the encouragement of the formation of volunteer companies, the creation of arsenals, of an armory, and an establishment for making gunpowder. . . . My mind is made up; I am for the fight, if the country will back me."⁵³ Linton, however, seemed not to be alarmed at the threatening position of national affairs and showed more interest in the "Whig Exposition" he had written in defense of the Whig withdrawal from the lower house, February 11-20, 1850.⁵⁴

As Alexander H. Stephens lost confidence in the national leadership

⁴⁹ P. A. Stovall, *op. cit.*, p. 69.

⁵⁰ R. M. Johnston and W. H. Browne, *op. cit.*, p. 237; U. B. Phillips, *Robert Toombs*, pp. 66-67; *Georgia Telegraph*, December 18, 1849.

⁵¹ R. M. Johnston and W. H. Browne, *op. cit.*, p. 241; P. A. Stovall, *op. cit.*, p. 69.

⁵² *Southern Recorder*, January 1, March 12, 19, 1850; *Georgia Telegraph*, March 5, 12, 19, 26, 1850.

⁵³ A. H. Stephens to Linton Stephens, January 21, 1850, R. M. Johnston and W. H. Browne, *op. cit.*, pp. 238-241, 245.

⁵⁴ A. H. Stephens to Linton Stephens, March 14, 1850, J. D. Waddell, *op. cit.*, p. 96.

of his party, his tone became less belligerent. He could see no hope in the leadership of the state legislature, where "unity, virtue, intelligence and patriotism" were essential to the success of any attempt at a Southern confederacy.⁵⁵ He regarded Taylor as incapable of the task before him and hopelessly under the influence of William H. Seward and his anti-slavery allies in the administration.⁵⁶ Stephens' predicament as a party leader was not unique. He simply recognized the danger signals, both for his party and for the country at large, and his reflections thereon were naturally inclined to pessimism. These reflections also indicated the strong force that tugged at Whig leaders great and small. Georgia Whigs, under the lead of Stephens and Toombs, took a course that they hoped would save the Union, but one that meant a disruption of their party before the next presidential election. During the spring and early summer of 1850 the Georgia Whig leaders in Washington attended a series of meetings at the home of Howell Cobb. These meetings were also attended by men of both parties from Kentucky, Ohio, and Illinois. Old party lines were disregarded in an effort to arrive at a basis for agreement on the great sectional issues of the day. It was agreed that this informal bloc would support the admission of California and the organization of the territories without restrictions and oppose any attempt to abolish slavery in the District of Columbia.⁵⁷ These are the bases on which the Compromise of 1850 was built and on which the political groundwork for the Constitutional Union party in Georgia was laid.

Georgia voters, in the meantime, were called upon to elect delegates to the Nashville Convention for an expression of the South's attitude to the threat of congressional prohibition of slavery in the territories. Judged by the interest shown, Georgia was not greatly aroused over that threat. Only 3,772 votes were cast for all the candidates in the election of the eight delegates chosen by popular vote, and some counties paid no heed to the governor's call for the election. Some of the Whig leaders insisted that a strong Whig delegation should be elected as an assurance against extreme action. James A. Meriwether, offered by the *Southern Recorder* as Whig nominee from the seventh district, issued a campaign statement of his personal views. These were representative of Whig sentiment. First and foremost, Meriwether was opposed to "taking any steps preparatory to a dissolution of the Union, directly or remotely." He also denied that the proposed convention had any authority to act or speak for the people of the South. Finally, he insisted that any recommendation for resistance to Congress must be of a nature recognized by the Constitu-

⁵⁵ A. H. Stephens to James Thomas, February 13, 1850, *Correspondence of Toombs, Stephens, and Cobb*, p. 184; A. H. Stephens to Linton Stephens, February 10, 1850, R. M. Johnston and W. H. Browne, *op. cit.*, p. 247.

⁵⁶ A. H. Stephens to Linton Stephens, April 15, 1850, J. D. Waddell, *op. cit.*, pp. 98-99.

⁵⁷ P. A. Stovall, *op. cit.*, p. 81.

tion and he hoped that all need for protest would be soon removed by act of Congress. Meriwether received 117 votes in the populous seventh district, while his Democratic opponent was elected with 139 votes. Whig leaders won places in two districts, Hill in the fourth and Miller in the fifth, each by a majority of four votes. Democratic nominees were successful by equally narrow margins in the six remaining districts.⁵⁸ The Georgia delegation to the Nashville Convention was headed by the fire-eaters, Henry L. Benning of Muscogee, elected from the second district and Ex-Governor Charles J. McDonald, who was appointed by Governor Towns to represent the state at large. It has gone down in general history as an extremist group representing the indignation of Georgians who were determined to defend the equality of the South in the Union.⁵⁹ But the delegation was chosen by a vote too small to be considered as anything more than the expression of local politicians and so divided as to be worthless in gauging the opinion of these active leaders. Senator Benton's appraisal of the distress and unrest in the country at this time as an hallucination of interested politicians⁶⁰ was entirely correct for the state of Georgia.

When the Nashville Convention met in early June, it seemed certain that Congress would arrive at a tolerable adjustment of the problems of slavery in the territories, new states, a fugitive slave law, and slavery in the District of Columbia. Little notice of the Nashville meeting was given in Whig or Democratic papers in Georgia except publication of an "Address to the People of the South," issued by the body. The editor of the *Southern Recorder* thought that the Address presented a good account of the history of Northern aggression. But he did not consider the treatment of the pending compromise measures an accurate appraisal, and he believed the treatment of the Missouri Compromise was unfair. Political opinion in Georgia was as oblivious to the extension of the Missouri Compromise as the ultimatum of the Nashville Convention as it had been indifferent to the election of delegates to that body.⁶¹ Even before the adjournment of the Nashville Convention, the efforts of Cobb, Toombs, and Stephens at Washington to arrive at a compromise on a national scale were already bearing fruit in Georgia. The movement had its first success in the middle Georgia third district, where party lines had been most closely drawn and party rancor had run highest for two decades. A prominent Whig of Macon reported to Washington that nearly all the Whigs and many Democrats were "decidedly in favor of the Senate Compromise bill." These men of the two parties talked of a meeting to give expression to their sentiments. Howell Cobb gave his blessing to the proposed meeting because he saw in compromise of party difference the only escape

⁵⁸ *Southern Recorder*, March 19, 26, April 2, 9, 30, 1850.

⁵⁹ E. M. Coulter, *Short History*, p. 289.

⁶⁰ T. H. Benton, *op. cit.*, II, 749-750.

⁶¹ *Southern Recorder*, June 18, 25, 1850; *Georgia Telegraph*, June 25, 1850.

for the South from "the miserable free soil policy of General Taylor."⁶²

Middle Georgia Democrats under the lead of Absalom H. Chappell were most active in organizing the compromise movement in the early stages. Chappell was a State Rights-Whig leader who switched to the Democrats in 1844. In response to a request of Macon Democrats, Chappell stated his views on the bill pending in Congress. He emphasized as good features of the bill: (1) it provided a government for Utah and New Mexico; (2) it rejected the Wilmot Proviso; (3) it denied to territorial governments the power to prohibit slavery; (4) it offered no restraint on emigration of slave-holders to the territories; and, (5) it provided a settlement of the boundary disputes between Texas and New Mexico. Southern Democrats could not fail to support the compromise, since it offered the only means of preventing the dissolution of the Union on the territorial question.⁶³

The proposed meeting was held at Macon, July 6, 1850. Chappell was elected chairman on motion of James A. Nisbet, the Whig who had been credited with breaking the quorum deadlock in the state legislature in February. The resolutions passed by the body characterized the Compromise Bill as "a fair, honorable, and satisfactory adjustment of all matters in dispute between the slaveholding and non-slaveholding States of the Confederacy."⁶⁴ Immediately after the meeting Chappell wrote to Cobb that Whig support for the compromise was almost solid, though a few members of that party would be lost to an opposition movement led by Democratic extremists. He predicted that these men would insist on the Missouri Compromise principle for the sole purpose of defeating all adjustments. Having attained this primary object, they would continue to stir up animosity in the South until disunion would occur. The most effectual checks to their efforts were the Whigs and the Union Democrats of north Georgia. Chappell closed this penetrating analysis of the Georgia situation with an appeal to Cobb for a public statement in support of the compromise measure.⁶⁵

Meanwhile, the inexorable march of events was driving Georgia Whigs from their cool and non-committal acceptance of the compromise to desperate support. On July 1, 1850, Southern Whigs in Congress appointed a caucus committee to advise the President that his course in regard to slavery and the territories was driving the Southerners out of the party. Robert Toombs and Alexander H. Stephens called on President Taylor, July 3. On the same day Stephens engaged in a heated conversation with Secretary of War Preston in regard to the Texas ques-

⁶² Howell Cobb to J. B. Lamar, June 26, 1850, "Howell Cobb Papers," *loc. cit.*, p. 41.

⁶³ *Southern Recorder*, July 9, 1850.

⁶⁴ *Ibid.*, July 16, 1850.

⁶⁵ A. H. Chappell to Howell Cobb, July 10, 1850, *Correspondence of Toombs, Stephens, and Cobb*, p. 193.

tion.⁶⁶ On July 9 President Taylor died of an attack provoked by exposure to the sun at an Independence Day celebration.⁶⁷ These events became somewhat garbled in the Northern press and, together with a communication to the *Philadelphia Bulletin* by one "Henrico," gave rise to the story that Taylor on his death-bed had been brow-beaten and threatened by Toombs and Stephens. Stephens issued a card denying this and declaring that he had no interview with Taylor after the attack which brought on his death.⁶⁸ While the compromise was pending, a group of southern members of Congress held a meeting to protest against some phases of the measure. Toombs was chairman of the committee which reported resolutions demanding extension of the Missouri Compromise line with a "distinct recognition and protection of property in slaves," and threatening to resist admission of California and adjustment of the Texas boundary until the question of slavery in the territories should be settled. Less than half the Southern members were present, and each reserved the right to act as he wished on the matter discussed. This meeting evoked no enthusiasm among Georgia Whigs, for public opinion was rapidly turning to the compromise as the hope of saving the Union. County meetings of the type held at Macon were called in the various sections of the state, and strong Union resolutions were passed in most of them. The Monroe County meeting resolved to support the Union even though the compromise should fail.⁶⁹

The "Resistance" movement took form essentially as Chappell predicted. Three or four thousand people under the lead of some prominent Democrats and a few State Rights Whigs met at Macon on August 22. Ex-Governor Charles J. McDonald and Christopher B. Strong were presidents. Walter T. Colquitt made a rousing speech, urging "that the men of the South should march to the line of 36° 30' with their coffins on their backs." William Lowndes Yancey of Alabama and Robert Barnwell Rhett of South Carolina were present and advocated temporary secession in case Congress should fail to recognize the Missouri Compromise principle in the new territory. The resolutions of the body endorsed the Missouri Compromise ultimatum of the Nashville Convention.⁷⁰ In contrast to these extreme views, the Whigs leaned farther and farther toward Cobb and the defense of the compromise. They characterized the Southern Rights meeting at Macon as a treasonable assemblage and threatened that any representative of Georgia who voted for the Southern Address "will find himself without a constituency," regardless of party lines.⁷¹

⁶⁶ U. B. Phillips, *Robert Toombs*, pp. 83-84.

⁶⁷ T. H. Benton, *op. cit.*, II, 765.

⁶⁸ *Southern Recorder*, July 23, 1850; P. A. Stovall, *op. cit.*, p. 65; A. H. Stephens to Linton Stephens, July 10, 1850, R. M. Johnston and W. H. Browne, *op. cit.*, p. 258.

⁶⁹ *Southern Recorder*, July 30, August 6, 20, 1850.

⁷⁰ *Ibid.*, August 27, 1850; *Georgia Telegraph*, July 16, August 27, 1850.

⁷¹ J. A. Meriwether to Howell Cobb, August 24, 1850, *Correspondence of Toombs Stephens, and Cobb*, pp. 210-211.

The middle Georgia fight for the compromise in opposition to the Southern Rights movement effectually broke down party lines in the state before Governor Towns issued the call for the Georgia Convention of 1850. Of the Whig leaders of statewide prominence only Christopher B. Strong and Charles Dougherty joined the resistance party. On September 23, 1850, Governor Towns issued a proclamation declaring that the passage by Congress of the act admitting California required him to call for an election of delegates to a state convention in accordance with the act of the Georgia legislature passed on February 8, 1850.⁷² Governor Towns exceeded the authority granted him in the February act and revealed his sympathy for the resistance party by stating that the purposes of the convention were to decide what steps should be taken to secure the rights of property in slaves, to arrest the aggressions of the North, and to preserve the equality of the states. Whig leaders and Union Democrats at once declared there could be no resistance to Congress except by secession and revolution. Statements from Andrew J. Miller, Charles J. Jenkins, and Robert Toombs denied that the admission of California was unconstitutional and pleaded for a sane view of the dangerous situation. Emphasis was given to the earnestness of Jenkins' plea by his refusal of an offer of the position of Secretary of the Interior in order to remain in Georgia at this crucial time.⁷³

Thus in 1850 Alexander H. Stephens and Robert Toombs took the lead in pledging the Whig party in Georgia to support a system of compromise bills on the slavery question. The great amount of detail in these bills and the bitter debate attending their passage blinded these men to the inexorable fact that they were falling into the same line of action on which they had broken with John M. Berrien two years earlier. Captivated by the ideal of Union, they followed Clay and Webster in the determination to re-write the bond of union in such final and inclusive terms that neither side could break it without violating the basic principles of common honesty and love for country. They recognized no irrepressible conflict between the industrial North and the agricultural South; nor did they have any conception of the mighty Juggernaut of national supremacy already making ready the blood sacrifice that was to seal the bonds of a nation and end forever the "Confederacy" which they had sworn to uphold. In the same spirit that actuated Abraham Lincoln when he determined to save the Union by force, they and many prominent leaders of the Democratic party in Georgia dropped the old party names and adopted the shibboleth of "Union" in reference both to the union of the old parties and the support of the Federal Union of the states. With the Southern Rights party already actively in the field the canvass for election of delegates to the state convention quickly developed into a major political

⁷² *Georgia Telegraph*, September 24, 1850.

⁷³ *Southern Recorder*, September 10, 24, October 1, 8, 15, 1850.

battle. In Cobb's district Charles Dougherty tried to hold the Whigs in opposition to Cobb by using his influence for resistance.⁷⁴ Although the Whigs denied Governor Towns' authority to call the convention, they joined enthusiastically in numerous county meetings for the nomination and instruction of Union candidates. Resistance candidates were also nominated in all counties except Chattooga, Gilmer, Madison, Putnam, Warren, Burke, Pulaski, Laurens, Bryan, Lee, Baker, Decatur, and Camden. Governor Towns joined the Southern Rights or Resistance party and issued a letter in its behalf. The election of delegates was, in truth, a state-wide referendum on the acceptance of the Compromise of 1850 or resistance to the measure.⁷⁵ Union speakers emphasized the economic advantages of remaining in the Federal Union and denounced resistance as a step leading directly to disunion. Safety to slavery was assured in a widely published letter from President Fillmore promising complete enforcement of the fugitive slave law.⁷⁶

The convention itself was overwhelmingly Union in sentiment. Each county chose twice as many delegates as it had representatives in the lower house of the state legislature. The counties of Murray, Butts, Jasper, Jones, Screven, Twiggs, Early, Thomas, and Lowndes sent solid resistance delegations. The delegations from Carroll, Milton, and Emanuel were divided, giving a total resistance count of twenty-three members. This was less than ten per cent of the total membership in the convention, though it was ably led by Winbone J. Lawton of Screven and Rufus W. McCune of Butts. These men fought for statements of the unconstitutionality of slavery restriction in the territories. They wished to deny specifically the right of Congress to abolish slavery or the slave trade in the District of Columbia; and they emphasized the danger in the Compromise of 1850 that Northern states would nullify the fugitive slave acts. They hotly denied, however, that they had any plan, direct or remote, for the dissolution of the Federal Union.⁷⁷ On the floor of the convention were many Whig leaders of importance in the state. Among them were William H. Crawford, William C. Dawson, George R. Gilmer, Edward Y. Hill, Asbury Hull, Charles J. Jenkins, Augustus H. Kenan, Washington Poe, John W. A. Sanford, Alexander H. Stephens, James Thomas, and Robert Toombs. The speeches of these men dealt only slightly with matters of constitutional rights, except to point out that Congress undoubtedly had legislative power over property in the District of Columbia. On ques-

⁷⁴ Howell Cobb to J. B. Lamar, October 10, 1850, *Correspondence of Toombs, Stephens, and Cobb*, p. 215.

⁷⁵ *Southern Recorder*, October 22, 30, November 5, 19, December 19, 1850; *Georgia Telegraph*, October 8, 15, 22, 29, November 5, 1850; U. B. Phillips, *Georgia and State Rights*, pp. 162-165.

⁷⁶ R. H. Shryock, *op. cit.*, pp. 309, 314.

⁷⁷ *Southern Recorder*, December 10, 1850; *Journal of the State Convention Held in Milledgeville in December, 1850*, pp. 1-6. The *Georgia Telegraph*, December 31, 1850, gives the debate in the convention as reported by the *Federal Union*.

tion after question they stated their faith in the Union as a political compromise between the sections and their unalterable determination to save that Union from dissolution by bringing the spirit of compromise to bear on the pressing problems of the day. Toombs and Stephens were already prominently associated with the compromise by virtue of their active support in Congress and their work in the campaign for election of Union delegates.⁷⁸ No vote in the convention on issues related to the old Whig-Democratic cleavage was taken, and the old parties seemingly dropped into complete abeyance. In economic and social standing the membership of the Georgia Convention distinctly represented the upper ranks of society. "More than half were slaveholders, owning from thirty to four hundred slaves each and many were men of culture and education."⁷⁹ The Convention of 1850 was one of the few important political assemblages in the history of Georgia not dominated and controlled by politicians with party axes to grind. To a much greater extent than the Nashville Convention of the same year it reflected accurately the will and sentiments of the people of Georgia.

For the first time in the history of the party, Whigs accepted gracefully offices and appointments of the second rank. Thomas Spalding was chosen as honorary presiding officer, and William B. Wofford and Andrew J. Miller were chosen as vice-presidents. On motion of Charles J. Jenkins the chair appointed a committee to be composed of three men from each of the eleven judicial districts. Whigs on this committee were Charles J. Jenkins, William H. Crawford, Edward Y. Hill, Augustus H. Kenan, and James A. Meriwether; but the majority of the committee was from the Democratic party. When the committee made its report two days later, the immediate acceptance of the preamble was moved by Robert Toombs. After some debate and dilatory motions by the small resistance faction Toombs' motion was carried.⁸⁰

The most extreme stand of the resistance forces was a proposed substitute for the resolutions of the committee on resolutions. This would have refused "consent to any act of legislation by the Congress of the United States upon the subject of slavery," in either the territories or the states. The Resistance party declared that such legislation was unconstitutional and sufficient cause for the state "to take such action . . . as the necessity and emergencies of the case may require." These words must have stirred memories of 1828 and 1832 in the minds of old Troup and State Rights Whigs, but only Crawford, Kenan, and James Thomas supported with their votes the political philosophy of their party forbears. Every Whig leader except Crawford supported the final resolutions of

⁷⁸ *Southern Recorder*, March 12, 19, 1850; P. A. Stovall, *op. cit.*, p. 83; R. H. Shryock, *op. cit.*, p. 135.

⁷⁹ R. H. Shryock, *op. cit.*, p. 325.

⁸⁰ *Journal of the Convention of 1850*, pp. 6-7, 21-22; *Georgia Telegraph*, December 17, 1850.

the convention. These resolutions, probably written by Charles J. Jenkins, became known immediately as the Georgia Platform. They were (1) The Union was "secondary in importance only to the rights and principles it was designed to perpetuate." (2) Compromise among the states was a necessary adjunct of the Union. (3) Georgia accepted the admission of California and the other measures of the Compromise of 1850. (4) The state of Georgia would resist, "even (as a last resort) to the disruption of every tie which binds her to the Union," any act of Congress which would restrict slavery or slave-holding anywhere in the United States. (5) It was the opinion of the Convention "that upon the faithful execution of the Fugitive Slave Bill by the proper authorities depends the preservation of the Union."⁸¹

Fully as important to the decline of the Whig party as the official proceedings of the Convention was the series of evening meetings held during the Convention. Here again the Whigs gave way for Democrats to receive the honors of office, though Whigs made the initial speeches. The first meeting was held Wednesday, December 11, 1850. With John W. A. Sanford in the chair, stirring speeches were made by Robert Toombs and Alexander H. Stephens in a concerted effort to set up a new party that "will save the Constitution, the Union, the rights of the South, and the cause of liberty, we heartily hope, and pray and believe, now and forever." Toombs emphasized first the great danger of fanatics in the North, and the South's helplessness as a minority section. He then pointed out that the South could not avert any of its threatened dangers by breaking away from the sound men on the other side. The high point of Toombs' speech was an impassioned plea for national ideals. In the spirit of Webster's speech of March 7, 1850, he declared:

No man rejoices more at the prosperity of his native state than I do.—no man can be prouder of her fame, or more jealous of her honor. Yet I am also an American. . . . I lay claim to my portion of the glory of Bunker Hill and Saratoga and Trenton, where the men of the Northland and the South mingled their blood together—I lay claim to them as well as to the glories of Eutaw or Yorktown—it is all—all my country.⁸²

Stephens followed Toombs and pointed out first that Georgia was in a strong and important position where her action might determine the continuation or the immediate end of the Union. That Union was in grave danger "from continued agitation for factious purposes, by men at the South and similar agitation by uncontrolled fanaticism at the North." He earnestly pleaded for the friends of the Union, North and South, to rally to the support of the Union. The South had been defended in the

⁸¹ *Journal of the Convention of 1850*, pp. 24-33; see also A. C. Cole, *op. cit.*, pp. 180-182; R. M. Johnston and W. H. Browne, *op. cit.*, pp. 259-260.

⁸² *Southern Recorder*, December 17, 1850.

Senate by such Northern leaders as Daniel Webster, Lewis Cass, and Stephen A. Douglas, and Southern rights were safer in such hands than in those then working for disunion. Finally, he declared "My object is to defend and protect our rights in the Union. And this shall be my policy until I shall despair of accomplishing that object. At this time I see no cause for such despair."

After these speeches a committee "of the men of the old and now defunct parties" reported a plan for organization which was immediately adopted. The following evening speeches were made by Washington Poe, Edward Y. Hill, and several Democratic leaders, and a platform committee was appointed. At a final meeting, December 13, 1850, William C. Dawson and several Democrats addressed the meeting, and plans were made for a gubernatorial convention the first Monday in June. Democrats most prominent in these meetings were Richard Arnold of Chatham and Hopkins Holsey of Clark.⁸³ It was decided that the final resolutions of the convention should be the platform of the new party.

The Georgia Platform of 1850 seemed at the time of its drafting to be a safe foundation on which to begin the erection of a new party from the wreckage of the Whig and Democratic parties. The "Wisdom, Justice, and Moderation" of the Convention of 1850 received high praise from both North and South.⁸⁴ Georgia Whig leaders were surprised at the action of the Whig caucus in Washington. According to Robert Toombs, the Southern Whigs tendered a compromise resolution with the idea of seceding from the party upon its rejection. Much to their surprise, "the National Whigs of the North in the very desperation of their defeat, backed by some members of the Cabinet [*sic*], came right out and passed the resolution" in an effort to rid the party of its free-soil elements. Even this action did not relieve Toombs' fear of the evil intention of the Northern wing of the Whig party. He saw in it only a truce to hold the support of Southern Whigs until the national convention of 1852, when Southern delegates would be read out of the party.⁸⁵ The Resistance party in Georgia, meanwhile, ridiculed the idea of a Union party by calling it a union of robbers and the robbed and asserting that the South would soon form a unit in opposition to the aggressions of the North. These strictures and the confident prediction that the Northern states would not abide by the Compromise were justified by an open and successful attempt to block enforcement of the fugitive slave law of 1850. A fugitive slave named Shadrack was seized in a United States court room and spirited away by a mob of free Negroes and white abolitionists in Boston.⁸⁶

⁸³ *Southern Recorder*, December 17, 24, 1850; A. C. Cole, *op. cit.*, pp. 182-184.

⁸⁴ *Southern Recorder*, December 31, 1850, quoting articles from the *Florida Sentinel* and the *Philadelphia Pennsylvanian*.

⁸⁵ Robert Toombs to Howell Cobb, January 2, 1851, *Correspondence of Toombs, Stephens, and Cobb*, p. 218.

⁸⁶ *Georgia Telegraph*, January 7, February 25, 1851.

In the gubernatorial election of 1851, party lines in Georgia crumbled into dust. Under the name "Union party," the coalition of 1850 took immediate steps to keep intact the support that had brought victory in the convention canvass. In this attempt Union leaders were handicapped by the return to Washington of the great compromise trio, Howell Cobb, Robert Toombs, and Alexander H. Stephens. Absalom H. Chappell took the lead, however, in directing affairs in the state, and a Union celebration in Macon was announced for February 22, 1851. The chief outcome of the celebration was a veritable flood of public letters expressing regret at inability to attend, but assuring complete agreement with the sentiment of a union of parties for saving the Union of states. Cobb feared the influence of the Southern Rights or Resistance party because of its sectional character and its nearness in spirit to South Carolina secession. He maintained that the only safe course for the country lay in the acceptance of the Compromise of 1850 as a final adjustment of the sectional issue. Stephens foreswore his allegiance to the national Whig party "in refusing all cooperation with either the Whig or Democratic parties of the North," and advocated "a thorough union with the sound men of both these parties, in a United National party."⁸⁷ Letters of like tenor, with slight variation in detail, were issued by Dawson and Toombs from Washington, and minor Democratic and Whig leaders in the state.⁸⁸

Along with the eagerness of the Union coalition to keep its lines intact went the natural desire to get a gubernatorial candidate that could bring success in state politics. Cobb was told early in the year by influential leaders that he could be governor of the state, if he so desired. One rather close observer and political realist advised Cobb against offering for governor. The office, he pointed out, required meticulous attention to details of administration and penny-saving—two qualities of character which Cobb distinctly did not possess. Moreover, Cobb was needed for leadership in the national fight on fire-eaters and should not accept an office that had been a burial ground for every incumbent for the past fifteen years.⁸⁹

The Constitutional Union party held the first state-wide convention of its brief and stormy history in Georgia, June 2, 1851. Delegates were present from nearly every county in the state. John J. Floyd of Newton was elected president of the convention after John W. A. Sanford served as temporary chairman. On motion of William B. Wofford, Howell Cobb was nominated for governor by acclamation. Only one Whig was named

⁸⁷ Howell Cobb to A. H. Chappell and others, February 7, 1851, A. H. Stephens to Chappell and others, February 15, 1851, *Correspondence of Toombs, Stephens, and Cobb*, pp. 221-229.

⁸⁸ *Southern Recorder*, March 11, 18, 1851.

⁸⁹ Joseph H. Lumpkin to Howell Cobb, February 10, 1851, Thomas W. Thomas to Howell Cobb, April 14, 1851, *Correspondence of Toombs, Stephens, and Cobb*, pp. 227, 230-232.

to the executive committee of thirteen members.⁹⁰ The Whigs, however, had no choice but to stick by the bargain of their leaders and support Cobb. The Resistance forces rapidly drew together into a Southern Rights party. At a convention in Milledgeville, May 28, its leaders denounced the Compromise of 1850 as a surrender of Southern rights and demanded that the state return to the political doctrines of the Virginia and Kentucky Resolutions. They declared that the future safety of the Federal Union depended upon a strict construction of the Constitution and a recognition of the sovereignty and equality of the states. On this platform they nominated Charles J. McDonald for governor. McDonald was a former Democrat and one of the most extreme of the Resistance leaders in 1850. The leaders of the Southern Rights party did not advocate secession as the immediate means of redress of Southern grievances, but they insisted that a clear statement of the right of secession was the South's most effective warning to extremists in the North.⁹¹ Georgia Whigs, however, interpreted the nomination of a fire-eater as a threat of secession, and charged the Southern Rights party with an effort to dissolve the Union. Nearly all the Whigs supported the Union party, pointing out that McDonald had never retracted his secession views as expressed in the Nashville Convention. Editors of important Democratic papers at Milledgeville, Macon, and Albany supported McDonald and denied that he was in favor of anything more than the abstract right of secession. They opposed the Constitutional Union party because it was characterized by "Federalism," and they repeated the cry raised at the Southern Rights Convention for a Democratic party based on state rights and strict construction of the Constitution.⁹²

Cobb and the Union leaders were less outspoken on the subject of secession than their editorial supporters. The convention of 1851 made no official mention of secession because of the influence of Toombs, who was chairman of the resolutions committee. Neither did Cobb commit himself on the question in his acceptance of the nomination. Cobb later wrote a letter dealing with the question of secession which was given to Toombs, but the letter was not published during the campaign. Toombs wrote Cobb that the safest course lay in avoidance of the issue. Such undoubtedly was the wisest political course for the moment, but its effect was to drag the Whigs further from their basic principles and to erect an insurmountable barrier to their return in 1852 and 1853. Cobb followed the advice of Toombs for a time and made no public statement, though many of his supporters pleaded with him at least to "give prominence to those portions of the Georgia Platform, which look to resistance in the events con-

⁹⁰ *Southern Recorder*, June 3, 10, 1851.

⁹¹ *Georgia Telegraph*, May 21, August 12, 1851; P. S. Flippin, *op. cit.*, pp. 39-41.

⁹² *Southern Recorder*, June 3, 17, August 12, 1851; Herbert Fielder, *op. cit.*, p. 73; *Albany Patriot*, April 18, June 13, 1851.

templated," and to state clearly that a state might withdraw from the Union by a majority vote.⁹³ Later he issued a statement that there was no constitutional basis for the right of secession, but denied the power of the Federal government to coerce or to punish as traitors the citizens of a seceding state.⁹⁴ State Rights Whigs, under the lead of Charles Dougherty, Christopher B. Strong, and John M. Berrien, joined the Southern Rights party. They could do nothing more, however, than denounce the "bargain" whereby Cobb should be governor and Toombs a United States senator upon the expiration of Berrien's term the next year. Democrats were told that Cobb had deserted their party, while Whigs were urged to vote against Cobb because he was a Democrat. Cobb's well-known lack of foresight and astuteness in the ordinary affairs of business was expanded into a report of private dishonesty. An interesting sidelight on the campaign is the division between the Lumpkins, father and son. Wilson Lumpkin, after his retirement from active politics, had supported the Democratic party. His son, John H. Lumpkin, also a Democrat and a close friend of Cobb's, was active in the campaign for Cobb, while Wilson Lumpkin was equally active for McDonald and the Southern Rights party.⁹⁵

The gubernatorial election of 1851 was the emotional backwash of the high tide of patriotic idealism in the fight for the Compromise of 1850, and Cobb's election was the result of agreement between powerful leaders as to the division of political spoils. It was achieved by bringing together for the first time the commercial farming area of middle Georgia and the small-farm section of north Georgia on the basis of their common loyalty to the Federal Union. Cobb carried every county in the state except ten south Georgia "piney-woods" counties stretching from Screven County on the Savannah River to Baker County in Southwest Georgia.⁹⁶ His majority was 18,373. In the congressional elections Union nominees included Robert Toombs in the eighth district and Alexander H. Stephens in the seventh. Absalom H. Chappell, a State Rights Democrat, was named by the Union party in the third district. Toombs and Stephens were elected by majorities of more than 2,000 votes each, while Chappell was defeated by 158 votes. The other Union nominees were former Democrats. In the state legislature, the Union party was virtually without opposition.

⁹³ Robert Toombs to Howell Cobb, June 9, 1851, F. S. Bartow to Howell Cobb, June 22, 1851, "Howell Cobb Papers," *loc. cit.*, pp. 45-47; *Georgia Telegraph*, July 1, 1851.

⁹⁴ R. W. Flournoy and others to Howell Cobb, August 6, 1851, "Howell Cobb Papers," *loc. cit.*, p. 48; *Georgia Telegraph*, August 19, 1851; A. C. Cole, *op. cit.* pp. 203-204.

⁹⁵ R. E. Martin to Howell Cobb, July 13, 1851; John H. Lumpkin to Howell Cobb, August 1, 1851, *Correspondence of Toombs, Stephens, and Cobb*, pp. 242-243, 247; *Southern Recorder*, September 30, 1851; P. A. Stovall, *op. cit.*, p. 93; C. B. Strong to T. W. Montfort, April 30, 1851, S. F. Miller, *op. cit.*, II, 289.

⁹⁶ *Georgia Telegraph*, October 28, 1851.

Andrew J. Miller was chosen president of the senate. James A. Meriwether was elected speaker of the lower house by close vote over John J. Floyd.⁹⁷ It is noteworthy that the Democrats, who made up the majority in the Union party, themselves took the lead in conventions and gave legislative leadership to their Whig allies.

Naturally, Berrien was not enthusiastic about the bargain which meant his forced retirement from the Senate in 1852. He voted for the fugitive slave law, but refused to support the compromise movement in Georgia, and he supported McDonald in the gubernatorial campaign of 1851. Early in September he explained his silence on the grounds of "severe and protracted affliction" and the deliberate attempts of the Whig press to keep him out of print. He was breaking his silence on this occasion because a convention in Richmond had instructed the county's representatives not to vote for Berrien. He attributed all these things to the efforts of "a gentleman [Toombs] who had for some time past been employing himself" to defeat Berrien's re-election.⁹⁸ Toombs soon after announced as a candidate for the United States Senate and asked Cobb to support his candidacy by naming Toombs' friends to state offices.⁹⁹ After the state election indicated that Toombs would have a majority in the legislature, Berrien insisted that, since he had made no announcement, it should have been clear that he was not a candidate for re-election.¹⁰⁰ Toombs regarded the continued opposition to himself in the legislature as a desperate effort of Berrien's friends to defeat him. The friends of Berrien were only a part of the opposition to Toombs, however, and he was nominated by the Constitutional Union caucus after an outbreak of bitter differences that soon rendered the party incapable of decisive action in the legislature where it held an overwhelming majority.¹⁰¹

As the presidential election of 1852 approached, both elements of the Constitutional Union party became restive. The Democrats took the more aggressive attitude. In phrases sometimes smooth and diplomatic, sometimes blunt and almost uncouth, they warned their Whig allies that only Democrats would be given any hearing at the national Democratic convention. The national Democratic organization encouraged the Georgia leaders in this vigorous stand, and even threatened them with coercion if they attempted to bring in the former Whigs.¹⁰² The Democratic wing of the Constitutional Union party also ran the hazard of having the "fire-

⁹⁷ *Southern Recorder*, October 21, November 6, 11, 1851; S. F. Miller, *op. cit.*, I, 267.

⁹⁸ *Southern Recorder*, September 30, 1851; U. B. Phillips, *Robert Toombs*, p. 103.

⁹⁹ Robert Toombs to Howell Cobb, October 11, 1851, *Correspondence of Toombs, Stephens, and Cobb*, p. 261.

¹⁰⁰ *Southern Recorder*, November 11, 1851.

¹⁰¹ *Georgia Telegraph*, November 11, 1851; Robert Toombs to Mrs. Toombs, November, 1851, P. A. Stovall, *op. cit.*, p. 95.

¹⁰² Andrew J. Donelson, editor *Washington Union*, to Howell Cobb, October 22, 1851, *Correspondence of Toombs, Stephens, and Cobb*, pp. 262-263.

eaters" seize the leadership in the Democratic party. The Southern Rights division of the Democratic party fired the first shot in the campaign by introducing in the lower house of the General Assembly resolutions which requested the national Democratic party to pledge itself against repeal of the fugitive slave law and by instructing delegates to the national Democratic convention to fight for such a pledge. The extremists held a meeting at Milledgeville on November 25, in which James Gardner, editor of the *Augusta Constitutionalist*, and Herschel V. Johnson, the most rabid of the fire-eaters of 1850, were the principal leaders. They denounced the Constitutional party for its fundamental spirit of compromise with the dangerous free-soil doctrines, endorsed the Georgia Platform, and called for a convention of Democrats to send delegates to the national Democratic convention to be held in Baltimore.¹⁰³ This announcement was the starting signal for a political struggle of the most bizarre and irrational character in the history of Georgia politics. Both wings of the Democratic party tried to arrange a state convention, each hoping to elect delegates acceptable to the national convention. The Whigs, tied body and soul to the Constitutional Union party, could not reduce their problem to the same simple terms of political sparring.

There were three distinct and mutually exclusive groups of Whigs in the Constitutional Union party. One group, of which Stephens was typical, wished to avoid alliance with both the national parties and strike out on the untried path of a third party pledged to the Union. This element was strengthened temporarily by the free-soil predilection of the national Whig party and by the failure of a compromise resolution in a Democratic caucus at Washington. Stephens saw a crying need for a party that would take a high, far-sighted view of the nation's crisis; and he envisioned for Georgia a great opportunity to cleanse national parties and bring harmony into national councils.¹⁰⁴ A second group of Whigs wished to retain the organization and name of Constitutional Union party and to try, in the face of adverse advice from Washington, to get a delegation acceptable to the Democratic national convention. The third group seemed weary of the bargain of 1850-1851 and pined for a return to the Whig party. They were in an awkward situation, however, for it seemed unlikely that the Whig nominee for President would be acceptable to the South. They vigorously fought anything that resembled an alliance with the Democrats and gravitated together into a movement to re-elect Fillmore. These three groups fought so desperately for the control of the skeleton that had once been the Whig party that they later found it impossible to resurrect that skeleton in the gubernatorial election of 1853.

¹⁰³ *Southern Recorder*, November 25, December 2, 1851; *Albany Patriot*, November 27, 1851; *Georgia Telegraph*, December 2, 1851.

¹⁰⁴ A. H. Stephens to Howell Cobb, December 5, 1851, A. H. Stephens to Linton Stephens, December 10, 1851, *Correspondence of Toombs, Stephens, and Cobb*, pp. 268, 271-273.

After some preliminary sparring in the legislature, the first tug of war came in a legislative caucus, January 20, 1852. In a meeting of the Constitutional Union party, the Democratic wing seized the lead, appointed an executive committee to arrange a convention, and committed the party to the policy of sending delegates to the national Democratic convention. Opposition to the sending of delegates to the Democratic convention was summarily crushed. James A. Meriwether and Linton Stephens, the Whig members of the executive committee, joined in the call for a convention to meet on April 22.¹⁰⁵ Alexander H. Stephens was disappointed at this action and declared that the party should have reaffirmed the Georgia Platform and called a convention to meet in June after the Democratic national convention. He was not in favor of tying the party to either of the national organizations and expressed himself as "for putting them down, unless they will at least promise to do right." In taking this stand, Stephens was aware of the opposition of the Whig press, especially the Macon organ now called the *Journal and Messenger*.¹⁰⁶

The Southern Rights division of the Democratic party again forced the issue by meeting in convention, March 31, 1852, and naming an electoral ticket headed by Herschel V. Johnson and Wilson Lumpkin.¹⁰⁷ Whereupon, the Union Democrats increased pressure on the Whigs to send delegates to the national Democratic convention at Baltimore. Cobb tried to reassure the wavering Whigs that delegates would go to Baltimore pledged to the Georgia Platform. As leaders of the national Democratic party made it clear that only Democrats would be accepted at the convention, the Democrats in the Union party pleaded with their Whig brethren to support the nominee of the Democratic party. The next demand was that the Whigs consent to an alliance with the national Democracy and become Democrats in name. Against this amalgamation with the Democratic party Stephens set himself staunchly, and Toombs would not support it. Meanwhile, local Democratic leaders worked diligently to send delegates to the Union convention in April pledged to the national Democratic party. Their efforts met with success in the Cherokee area. In middle Georgia many Whigs were reluctantly driven to the support of Democratic delegates by the split in their party at Washington along sectional lines, and by the practical certainty that General Winfield Scott would be nominated by the national convention of the Whigs. Dawson was loyal to the national Whig organization and was able to get some delegates from counties around Macon pledged against the Democratic convention. Plans were drawn by one Whig leader of the old school to declare the Whig party dead and to incorporate into the resolutions of the state convention a

¹⁰⁵ *Southern Recorder*, January 27, March 2, 1852.

¹⁰⁶ A. H. Stephens to Howell Cobb, January 26, 1852, "Howell Cobb Papers," *loc. cit.*, pp. 53-55.

¹⁰⁷ *Georgia Telegraph*, April 6, 1852.

declaration that no sacrifice of honor or principle could attach to those Whigs who supported the Democratic party, since "all the old issues contended for by the Whig party have been finally disposed of."¹⁰⁸

The convention of April 22, 1852, called by the Constitutional Union caucus of January 20, was controlled by a combination of Union Democrats and those Whigs willing to send delegates to the national Democratic convention. A resolution declared that the Constitutional Union party would not give its support to any candidate named by a convention not expressly endorsing the finality of the Compromise of 1850. Another resolution provided for the calling of another convention after the holding of the Whig and Democratic national conventions. James Thomas offered a resolution not to send delegates to either the Democratic or the Whig national conventions. Charles J. Jenkins and Augustus H. Kenan joined in the discussion, but the Democrats maintained their control of the convention.¹⁰⁹ The following day John Milledge of Richmond and Kenan went with many of the Constitutional Union Democrats into a strictly Union Democratic convention. This body took its stand on the finality of of the Compromise of 1850 and named delegates to the national Democratic convention.¹¹⁰

Following this preliminary convention, the old Whig element in the Constitutional Union party started a Fillmore movement in Georgia. Fillmore seemed highly acceptable to Whig leaders of Georgia, and his nomination was actually feared by those Whigs who wished to join the Democrats in the high anticipation of success in 1852.¹¹¹ With delegates from Georgia added to those from other Southern states already pledged to Fillmore, a forlorn hope was held out that Scott might be defeated. Fillmore meetings in the time-honored manner were held in Baldwin, Monroe, Morgan, Meriwether, Houston, Greene, and other counties.¹¹²

Democratic leaders, in the meantime, asserted stoutly that Toombs had agreed to support Democratic nominees for President and Vice-President in return for their support of him for the Senate.¹¹³ It is true that Toombs declared in a speech to the state legislature of 1851 that the national Democratic party was preferable to the Whig, but he also held that the Constitutional

¹⁰⁸ John Milledge to Howell Cobb, April 17, 1852, *Correspondence of Toombs, Stephens, and Cobb*, pp. 291-292; see also Hopkins Holsey to Howell Cobb, February 6, 1852, J. B. Lamar to Howell Cobb, February 12, April 12, 1852, W. H. Hull to Howell Cobb, February 14, 1852, John H. Lumpkin to Howell Cobb, March 2, 1852, *ibid.*, pp. 279-281, 287, 289.

¹⁰⁹ *Southern Recorder*, April 27, 1852; A. C. Cole, *op. cit.*, p. 240.

¹¹⁰ *Southern Recorder*, April 27, 1852. Of the thirty-two leaders mentioned in this account, thirteen had been present at the Constitutional Union convention the preceding day. See also U. B. Phillips, *Robert Toombs*, pp. 106-108.

¹¹¹ Robert Toombs to Howell Cobb, May 27, 1852, *Correspondence of Toombs, Stephens, and Cobb*, p. 297.

¹¹² *Southern Recorder*, May 18, 25, June 8, 1852.

¹¹³ John H. Lumpkin to Howell Cobb, July 11, 1852, *Correspondence of Toombs, Stephens, and Cobb*, p. 310.

Union party should be maintained until the best possible terms of surrender could be made with the national Democratic party. He, William C. Dawson, and Charles J. Jenkins chose to remain loyal to the national ideals of the Whig party at its best, and their followers gathered for awhile around the Fillmore banner. Delegates from the counties of Baldwin, Bibb, Morgan, Putnam, Upson, Houston, Chatham, Crawford, Cobb, Washington, DeKalb, Jefferson, Meriwether, and Monroe met at Milledgeville, June 7, 1852. The Georgia Platform and the finality of the Compromise were endorsed, and a delegation to the Whig national convention was named. This delegation, headed by William C. Dawson, was instructed to support Millard Fillmore. The resolutions of the body made no reference to Scott, but expressed confidence in Webster and sympathy for Clay.¹¹⁴

The action of the two major national party conventions played directly into the hands of the Democrats and recreant Whigs bent on dragging the Constitutional Union party into the Democratic party. The Democratic plank on the Compromise of 1850 was acceptable to the most staid Whig in the state.¹¹⁵ The action of the Whig convention on the Compromise of 1850 was also pleasing to Georgia Whigs, but the nomination of General Scott was sufficient to drive the great majority of Georgia Whigs away from the party.¹¹⁶ Dawson, however, promised the national convention that Georgia Whigs would work for Scott's election.¹¹⁷ Democratic leaders in Georgia, inside and outside the Constitutional Union party, were jubilant over the nomination of Scott by the Whigs, and were highly gratified by the action of their own national convention. They could now force the hand of their erstwhile Whig allies, and they informed the Whigs immediately that they would have to give up their organization. Hopkins Holsey even announced in the editorial column of the *Athens Banner* the dissolution of the Constitutional Union party. In the Cherokee counties of Clarke, Gordon, Cherokee, Cobb, and Forsyth, delegates pledged to Franklin Pierce and William R. King, the Democratic nominees for President and Vice-President, were elected to the second Constitutional Union convention.¹¹⁸ Charles J. Jenkins expressed himself as satisfied with the platforms on both national parties and dissatisfied with both nominees, whom he characterized as the "Great Availables." Stephens clung doggedly to his ideal of a third party. "It would be a decisive step towards putting an end to these party conventions and irresponsible bodies

¹¹⁴ *Southern Recorder*, June 8, 1852; *Albany Patriot*, November 14, 1851; *Georgia Telegraph*, September 7, 1852.

¹¹⁵ *Southern Recorder*, June 15, 1852.

¹¹⁶ R. M. Johnston and W. H. Browne, *op. cit.*, p. 268.

¹¹⁷ *Southern Recorder*, June 29, 1852.

¹¹⁸ J. B. Lamar to Howell Cobb, June 22, July 1, 1852, John H. Lumpkin to Howell Cobb, July 11, 1852, *Correspondence of Toombs, Stephens, and Cobb*, pp. 302-303, 307, 310.

of men, who now virtually make choice of our chief magistrates, to the entire subversion of the theory of the Constitution." Another candidate, he assured those who hungered after the flesh pots of national spoils, would probably break the majority of either major candidate and throw the election in the House of Representatives.¹¹⁹

The second Constitutional Union convention met at Milledgeville, July 15, 1852, with Absalom H. Chappell as president. The administration of Fillmore was endorsed, but a split occurred on the report of the committee on resolutions. The Union Democrats and the Whigs who agreed with them in their determination to dissolve the Constitutional Union party and name a Pierce electoral ticket had a majority of votes over the remaining Whigs who wished to maintain the Constitutional Union organization and put a third ticket in the field. The former group gave way on the question of immediate dissolution, but refused to support a resolution for a third electoral ticket. When a test vote indicated that the convention would endorse Pierce, about 35 of the 160 delegates withdrew from the convention. The convention then proceeded to draw up a Pierce electoral ticket which included the Whig leaders, William H. Crawford, James Thomas, and Andrew J. Miller, and the former Whig, Absalom H. Chappell. The seceders, meanwhile, passed resolutions endorsing Daniel Webster and Charles J. Jenkins for President and Vice-President and called a convention to meet in Macon on August 17. The call for a Scott convention in Macon, August 18, had already been published.¹²⁰ Soon after this convention, Cobb issued an appeal for unity of support for Pierce "against whom no other objection can be successfully urged with Union Whigs except that *he is a democrat and the nominee of the democratic party.*"¹²¹

Instead of going en masse to the Democratic party, however, the Whigs chose a more roundabout method of wrecking their party piecemeal. The Whig seceders from the Union convention, July 15, met at Macon, August 17, 1852, and appointed a committee to approach the leaders of the Scott convention which was to be held in the same city on the following day. The next day the committee reported its inability to bring about a union of the two groups. Whereupon, the convention nominated Daniel Webster for President of the United States and Charles J. Jenkins for Vice-President and presented a slate of electors to support them. Edward Y. Hill and Washington Poe were the only Whig leaders of prominence on this electoral ticket. The ticket had, however, the support of Alexander H. Stephens and Robert Toombs. Stephens made several speeches in defense

¹¹⁹ Letters from A. H. Stephens, June 28, July 1, 1852, *Southern Recorder*, July 13, 1852.

¹²⁰ *Southern Recorder*, July 20, 1852; *Albany Patriot*, July 9, 23, 1852.

¹²¹ Howell Cobb to Orion Stroud, August 4, 1852, *Correspondence of Toombs, Stephens, and Cobb*, pp. 311-315. The same letter was published in *The Federal Union*, August 17, 1852. See also *Albany Patriot*, August 20, 1852.

of a third party in which he declared that both the Democratic and the Whig nominees should be defeated and Webster should be elected.¹²²

The nominees on the Webster electoral ticket represented the corporal's guard of local leaders who followed Stephens in his determination to try the experiment of a third party. The regular Whigs from thirty-seven old Whig counties under the lead of William C. Dawson chose to remain loyal to the national party and nominated an electoral ticket in support of General Winfield Scott. They regretted the break in the party ranks and hoped that the third party men could return, "as our differences are only as to men, and not as to principles." Representative Whig names on their electoral ticket were Joel Crawford, Lott Warren, and Nathan G. Foster. The Scott convention recommended the *Macon Georgia Citizen*, the *Atlanta Republican*, the *Atlanta Reveille*, the *Savannah True Whig*, and the *Griffin American Union* as newspapers setting forth true Whig principles. The *Savannah Republican* and the *Southern Recorder* carried both electoral tickets under the head "Whig nominations" and pleaded for the largest Whig vote possible "that the calamity be not entailed on our state of being given up to democracy." The *Southern Recorder*, especially, held to its role of peacemaker among the various elements of the Whig party and reported speeches of all Whigs of statewide importance. The editor dropped the Webster-Jenkins ticket from his columns with the November announcement of Webster's death.¹²³

While the Whigs were openly deserting the Constitutional Union party and going either to the Democrats or to one of the foregoing Whig groups, the Union Democrats awaited eagerly the opportune moment to announce the demise of the lusty infant that refused to grow up. The executive committee of the Constitutional Union party decided that immediately following the Whig conventions of August 17 and 18, dissolution of the party would be announced.¹²⁴ Two statements were issued to the press. One of them was styled "An Address of the Executive Committee to the Constitutional Union Party of Georgia." Signed by the entire committee, it withdrew the Pierce electoral ticket named July 15, and charged that the "entire Union Whig press" had opposed the party's action since the April convention, and had endorsed the call for the third party and the Scott conventions of August 17 and 18. The address charged the Whigs with responsibility for the break-up of the Constitutional Union party in these words:

It cannot be disguised that the great mass of the Whig party have thus withdrawn themselves from the Union organization, and have laid the

¹²² *Albany Patriot*, September 10, 1852; *Georgia Telegraph*, September 14, 1852.

¹²³ *Southern Recorder*, August 24, 31, September 21, November 2, 1852; A. C. Cole, *op. cit.*, p. 272.

¹²⁴ Henry R. Jackson to Howell Cobb, August 7, 1852; J. B. Lamar to Howell Cobb, August 10, 1852, *Correspondence of Toombs, Stephens, and Cobb*, p. 316.

foundation for the re-organization of the Whig party in our state, if indeed that result may not be regarded as already consummated. This state of things leaves the Constitutional Union party in the hands of the Union Democracy and those Union Whigs who are determined to give their votes and support to the National Democratic nominees.¹²⁵

This was the last move in the carefully executed maneuver to force the Union Whigs into voting the Democratic ticket in 1852.

The second statement on the dissolution of the Constitutional Union party was a vain effort to merge the Pierce forces in the state. It was headed "An Address of a Portion of the Executive Committee to the Union Democracy and Union Whigs, friends of Pierce and King." It proposed a meeting of Union Democrats and Union Whigs at Atlanta, September 18, 1852, to determine their future course.¹²⁶ That convention, however, was the only one of seven held in Georgia during 1852 that had no appreciable part in the break-up of the Whig party.

The election of 1852 in Georgia was a foregone conclusion and really marks the beginning of the one-party system in the state, for the three electoral tickets pledged to the Democratic nominees represented every important segment of political thought in the state. Stephens and Toombs spoke in high praise of Webster, damned both nominees of the national parties with faint praise for their military qualities, criticized both parties for their lack of unifying principle, and condemned Scott as opposed to slavery and in favor of free soil principles.¹²⁷ Whigs in Georgia could agree on the importance of saving the state from the triumph of Democracy but could not agree on a method of achieving that object.

The combined vote for the two Whig tickets in 1852 fell far short of that party's smallest total vote in the days of its power. Scott carried only one county, Tattnall. As usual, the editorial post-mortems were ready at hand. Three reasons for the decline of Whig strength were offered by a veteran observer from the vantage point of the editorial chair of the *Southern Recorder*. They were: (1) the general belief that Scott was closely connected with abolitionists; (2) the country had grown tired of military candidates; and (3) the will of the people had been set aside by the Baltimore convention. He concluded that "Fillmore was the choice of the people."¹²⁸ This analysis ignored everything which seemed undesirable to the examiner. Specifically, it failed to explain why people in Georgia did not care to vote for the Whig General Scott, but flocked to the Democratic General Pierce. It neglected to point out that Whigs in Georgia had the opportunity to support Fillmore a full month before the call for

¹²⁵ "Howell Cobb Papers," *loc. cit.*, pp. 54-55.

¹²⁶ "Howell Cobb Papers," *loc. cit.*, pp. 56-57; *Southern Recorder*, August 31, 1852.

¹²⁷ U. B. Phillips, *Robert Toombs*, p. 110; P. A. Stovall, *op. cit.*, p. 99; *Georgia Telegraph*, September 14, 1852.

¹²⁸ *Southern Recorder*, November 16, 1852.

either a Scott or a Webster convention. It also left out of consideration the obvious fact that Georgia voters interpreted the nomination of General Scott as a surrender of the Whig party to its Northern, anti-slavery wing and as a final signal for the dissolution of that party in the South.¹²⁹

An examination of the election returns of 1852 gives a more accurate picture of the downfall of the Whig party in Georgia. The counties where the dead Webster received a majority of votes cast were in the section under the personal influence of such Whig leaders as Stephens and Toombs. The men who cast these votes were actuated by a sense of personal loyalty to these living leaders, by the grip of national party loyalty, and by loyalty to the ideals of union set forth in Webster's Seventh of March Speech.¹³⁰ In a thin strip of the Upper Piedmont, six old-time Whig counties heeded the call for unity of party in divided leadership and cast a majority of votes for Scott and Webster combined. In these counties the thirty-year struggle under conservative leadership against the rising tide of democracy had set a pattern of political habit too deep to change in a single campaign, even though the election of 1852 was concerned with none of the specific issues woven into the warp and woof of that pattern. Georgia Whigs during the forties simply tied up the fortunes of their party with a set of national issues that had no permanent appeal to Georgia voters. In state politics the completion of the Western and Atlantic Railway and the prudent financial policies of Governors Crawford and Towns removed the only issues that ever brought the Whigs any real support. The party narrowly missed a break-up in the election of 1848, and the quarrels in the national party over slavery during 1849 and 1850 greatly weakened the Whig party in Georgia. The fight for the Union in 1850 gave the party a short reprieve and its leaders an opportunity to reassemble the corporals' squads in marching formation. The reasons for their failure to maintain that formation in 1852 are deeper and more complex than any immediate and off-hand diagnosis by contemporary leaders. The areas of settlement filled in during the forties did not develop into commercial cotton-growing communities to the same extent that the areas settled twenty years earlier had done. They emerged more slowly from the frontier stage and became the home of yeomen, interested in subsistence farming, and devoted to equalitarian ideals in politics. Instead of forming areas of doubtful majorities as had been the case of transition counties in the thirties these newer counties gave their support to the Democratic party. A decline in the acumen of editorial leadership of the Whigs also is an important item in the explanation of the disintegration of the Whig party. Hopkins Holsey of the *Athens Banner* and James Gardner of the *Augusta Constitutionalist* were not giants either in journalism or politics. But they and others of the Democratic press

¹²⁹ *Georgia Telegraph*, November 9, 1852.

¹³⁰ Herbert Fielder, *op. cit.*, pp. 74-75.

were able to appeal to the electorate on even terms with the editors of the *Southern Recorder, Journal and Messenger*, and the *Columbus Enquirer* in a manner approached a decade earlier only by the *Federal Union* and the *Georgia Telegraph*. Another explanation is to be found in the strained relations between the younger and older elements of the Whig party. This is exemplified in the Robert Toombs-John M. Berrien feud, that resulted in the retirement of Berrien and the assumption of actual leadership by Toombs, Alexander H. Stephens, and Charles J. Jenkins against the active wishes of William C. Dawson. Still another weakness in this new Whig leadership was an absorption in the national phases of politics. A casual reading of Whig correspondence and newspapers of the time suggests that Toombs and Stephens by means of letters to Linton Stephens, Charles J. Jenkins, James Thomas, and a multitude of local leaders, could have kept in closer touch with the homefolks. But instead they spoke and wrote in terms of national ideals, of purging the old parties, and of founding a third party devoted to the defense of Union and the Constitution. In 1852 Georgia voters chose to follow the Democratic highroad to immediate victory rather than to plunge into the political morass of conflicting claims over the leadership of the local Whig party with its taint of connection with the Northern abolitionists. In the face of this mass desertion, Robert Toombs pronounced the death sentence on his own party. He wrote to a friend outside the state: "If the Whig party is incapable of rising to the same standard of nationality as the motley crew which opposes it under the name of Democracy, it is entitled to no resurrection. It will have none."¹³¹

Such a cavalier attitude was ill-becoming Toombs, who owed his entire political career to the Whig party machine in Georgia. To those local and state leaders who had not arrived at Toombs' maturity and disillusionment in national politics, this attitude was unthinkable. Alexander H. Stephens pleaded in rather pathetic, though withal vain, terms with Cobb not to desert the third party organization.¹³² In the meantime, Whig leaders and editors, from force of habit, demanded a gubernatorial convention and took up cudgels in behalf of various available candidates. They also sounded the time-tested plea for union on principles and the subordination of ambitions for friends or self to the imperative need for unanimity in council and in action. The proposal which finally became the Whig marching order for 1853 was to unite under the name Union party "all who favor the prominent measures of Mr. Fillmore's administration—all who are opposed to free and progressive Democracy—red republicanism and filibusterism—all, in short who are for upholding the

¹³¹ Robert Toombs to J. J. Crittenden, December 15, 1852, *Correspondence of Toombs, Stephens, and Cobb*, p. 322.

¹³² J. B. Lamar to Howell Cobb, February 14, 1853, *Correspondence of Toombs, Stephens, and Cobb*, p. 322.

Constitution and maintaining the rights of the South . . . without the least regard to past differences."¹³³ The Democrats under the editorial leadership of the *Athens Banner* accepted the challenge and nominated Herschel V. Johnson, a fire-eater of 1850, for governor. Some of the Democrats did not believe in the abstract right of secession, others looked on such a right simply as the ultimate bulwark of protection, and the great majority of them did not contemplate any immediate occasion for its use. Johnson recognized these divisions and, whatever might have been his own views, acceded to the overwhelming opinion in his party that the question should be no longer agitated. This not only tended to heal the breach occasioned by the "Southern Rights" defection of 1850-1851, but attracted to the Democratic party "many noble and patriotic Whigs" who were disgusted with the leadership of the national Whig party.¹³⁴ By mid-summer, the regular biennial battle of wits and wind was going on to all outward intents as if no great national issue had disrupted the even tenor of the politicians' way in Georgia.¹³⁵

From the beginning of the campaign of 1853 the Union leaders insisted that they be accepted as the conservative element in politics. This stand was the natural result of feeling, temperament, and economic status. Editors seemingly forgot the agrarian origin of Georgia Whigs, for they wrote long panegyrics on the achievements of the national Whig party in fostering commerce and industry. Against the charge of reaction one editor wrote:

. . . that the Conservative Whigs of the Union party are not very deeply imbued with the rampant spirit of Young America, nor very highly delighted with his pugilistic rehearsals, is quite certain, and Heaven forbid that they ever should be; but that they are opposed to a rational, wholesome and safe national progress, is a great mistake.¹³⁶

Standing solidly on the glorious past, and glorifying in the past more than in any promise for the future, the Whigs in the so-called Union party proceeded in a safe, sane, and rational manner to select their best leader and most available standard-bearer as nominee for governor of the state. As usual, many candidates were given due mention in editorial columns, before leaders from fifty-two counties met in the last Whig convention in Georgia on June 22, 1853.

This "meeting of the conservative men of Georgia, standing upon the principles of the Report and Resolutions adopted by the State Convention of 1850," on motion of Linton Stephens, elected General John W. A. Sanford, a former State Rights-Whig-Union Democrat as chairman. A

¹³³ *Southern Recorder*, March 8, 1853.

¹³⁴ *Georgia Telegraph*, February 8, June 28, 1853.

¹³⁵ *Southern Recorder*, June 21, 28, 1853.

¹³⁶ *Ibid.*, May 10, 1853.

committee headed by Robert Toombs reported the resolutions of the body. They were: (1) a nominee for governor should be selected by ballot; (2) both the Whig and Democratic parties were faithless to their pledges on economy and the public lands; (3) public lands were common property, and the states should share equally in the benefit from them; (4) Washington's Farewell Address and freedom from entangling alliances were the true bases for the national foreign policy; and, (5) the maintenance of the honor and dignity of the position assumed by Georgia in 1850, and the promotion of the moral, social, intellectual, and national interests of her people were objects of greater importance than the success of any national party. On the first ballot Charles J. Jenkins received 170 votes as candidate for governor, Asbury Hull 17, Andrew J. Miller 11, and John M. Berrien 4. Whereupon, on motion of William C. Dawson, the nomination of Jenkins was made unanimous. Alexander H. Stephens was then placed at the head of a committee to prepare an address to the people; an executive committee was appointed; and the convention adjourned its one-day session without a jarring or discordant note.

Thus the Whigs deliberately and with remarkable agreement among the active leaders of the party, chose the role of defender of the status quo in national politics. The following flat declaration was made and repeated in the Whig press: "The issue is now fairly before the country; Union, Liberty and Republicanism on the one hand—Abolition, Free-soil and Secession on the other."¹³⁷ Jenkins was accepted by Whig leaders and hailed by Whig editors. He had served in the state legislature and had been elevated to the speakership in the lower house. His outstanding service had marked him for national leadership, and he had been offered a place in Fillmore's cabinet. Moreover, he was credited with the authorship of the Georgia Platform.¹³⁸ Immediately following Jenkins' nomination, the Democratic *Georgia Telegraph* published as true the story that Jenkins had written and supported in the state legislature the so-called "Algerine law" for the city government of Augusta in 1841.¹³⁹ This ordinance required real estate ownership of \$1,000 value as a pre-requisite for voting in city elections. Such a charge was especially harmful in a campaign of conservatives against liberals. The Whig press rallied to Jenkins, the *Journal and Messenger* leading the way. *The Chronicle and Sentinel* was strong in support of Augusta's native son, and the *Columbus Enquirer* was warm in its praise of the author of the Georgia Platform. Whig papers in small towns added their voice to the chorus of praise and commended the few local leaders of the Union Democrats who remained loyal to the party of the Federal Union.¹⁴⁰

¹³⁷ *Southern Recorder*, June 28, 1853; see also *Georgia Telegraph*, June 28, 1853.

¹³⁸ *Southern Recorder*, June 28, 1853; Herbert Fielder, *op. cit.*, pp. 76-78.

¹³⁹ *Georgia Telegraph*, July 5, 12, 1853.

¹⁴⁰ *Southern Recorder*, July 12, 19, 26, September 27, 1853, quoting the papers mentioned and also the *LaGrange Reporter* and the *Rome Courier*.

The Whig leaders went almost directly from the convention into an active campaign for Jenkins. Robert Toombs immediately sounded the rallying cry at Columbus. Both he and Alexander H. Stephens worked diligently to rebuild Whig strength in the state.¹⁴¹ Herschel V. Johnson, the Democratic nominee, characterized his opposition as "zealous, fierce and potent." Jenkins and Johnson met at the commencement of the University of Georgia, and Johnson invited his Union opponent to join him in a series of joint addresses. Several such meetings were held without bitterness or personal feeling, but these joint appearances served only to bring out the contrasting qualities of the two men. Jenkins was highly intelligent, polished, urbane, dignified in his bearing—the soul of natural courtesy.¹⁴² Johnson was of an entirely different stamp, and his political success was due to personal force and native quality of leadership more than to social qualities or artificial polish. The full vigor of Johnson's vituperative powers was loosed on the Union party after he and Jenkins parted company in mid-September. At Gainesville and at Augusta Johnson lost his temper and ripped into the Union party in a manner typical of the more famous Andrew Johnson. Whig papers charged that Johnson had attended the fire-eaters' convention at Macon in 1850 and had appeared on the program along with Robert Barnwell Rhett of South Carolina. At Gainesville Johnson flatly and unequivocally gave the lie to the editor of the *Southern Recorder*, who was in the audience. At Jackson Johnson compared the Union party to a snake in the grass with its back broken and slight vitality existing only in its tail.¹⁴³ The bitterness engendered by these tactics was heightened by the attitude of Governor Cobb, who with high hopes for election to the United States Senate, was forced to give active support to Johnson. Cobb made several speeches in Johnson's behalf, in some cases speaking from the same platform with Johnson.¹⁴⁴

During the summer the Whig leaders based their appeal for votes on the general issues of the finality of the Compromise of 1850, the Whig ideals of nationalism, and the Whig doctrine of conservative republicanism. After the separation of Jenkins and Johnson, these issues were pushed into the background by the vigorous offensive tactics of Johnson. While bitterly attacking the Union party, Johnson receded from his fire-eating position of 1850 and 1851 and explained to the satisfaction of the Union Democrats that he had acted with the fire-eaters only to hold them in check.¹⁴⁵ Johnson also denied that he and the Democrats contemplated

¹⁴¹ A. C. Morton to Howell Cobb, July 2, 1853, *Correspondence of Toombs, Stephens, and Cobb*, p. 330.

¹⁴² P. S. Flippin, *op. cit.*, p. 55.

¹⁴³ *Southern Recorder*, September 27, October 4, 1853.

¹⁴⁴ P. S. Flippin, *op. cit.*, p. 56; *Southern Recorder*, September 27, 1853; W. H. Hull to Howell Cobb, August 16, 1853, *Correspondence of Toombs, Stephens, and Cobb*, p. 335.

¹⁴⁵ *Southern Recorder*, September 27, 1853; Herbert Fielder, *op. cit.*, p. 56.

secession. These things put Jenkins on the defensive in the crucial appeal to Union Democratic voters, since he could not under the circumstances invite them to join the Whig party. Moreover, Jenkins was not able to refute the charge that he had advised the Union Democrats to return to their party in 1852. He also lost some votes because of the charge that his acceptance of the nomination for Vice-President in 1852 made him the principal actor in breaking up the Whig party. These things presented difficulties, but the glaring contrast between the personalities and characters of the two candidates might have enabled Jenkins to overcome them. The "Algerine law" incident presented a more serious obstacle. Jenkins openly confessed his support of the law in a speech at Macon, and admitted that the law was intended as a check on the financial powers of the city government at Augusta by the men of property.¹⁴⁶ As the campaign progressed Jenkins veered from these dangerous local issues to Stephens' ideal of a third party, repudiated "for himself and party all alliances with national parties" and promised his hearers a national Union organization.¹⁴⁷

County majorities in the election of 1853 were small, and Johnson won by a majority of only 540 votes. In general, the cotton counties followed the Whig leaders under the Union banner. Cotton planters were numerous enough in southwest Georgia to carry two-thirds of the counties in the Democratic second congressional district for Jenkins. In the north Georgia fifth and sixth districts Jenkins received a majority vote in one-third of the counties, the largest vote ever won in that section by a Whig candidate. This was due to the large number of Union Democrats in that section, who preferred Jenkins to a former fire-eater, and to the support given Jenkins by Democratic weeklies at Athens, Marietta, and Rome. In the Whig strongholds of the seventh and eighth districts a heavy majority was cast for Jenkins, only five of twenty-two counties giving majorities for Johnson. In the fourth congressional district of west Georgia Jenkins carried only two counties and thereby lost the election.¹⁴⁸ This section was not reached by any important Whig newspaper; moreover, after the removal of Julius C. Alford from Troup County to Alabama, it had no strong local Whig leaders. Consequently, the charges against Jenkins had no effective defense.

The Whigs lost the governor's election in 1853 by the smallest majority since the change to direct vote and got a substantial vote in traditionally Democratic areas. In the same election Union nominees to Congress who had not been prominently connected with the State Rights-Whig party were defeated. Two prominent former Whigs, Doctor David A. Reese in the seventh and Alexander H. Stephens in the eighth, were nomi-

¹⁴⁶ *Georgia Telegraph*, September 20, 1853.

¹⁴⁷ W. H. Hull to Howell Cobb, August 16, 1853, *Correspondence of Toombs, Stephens, and Cobb*, p. 334.

¹⁴⁸ *Southern Recorder*, October 25, 1853.

nated by the Union party, and were elected.¹⁴⁹ Nevertheless, the election of 1853 did not resurrect the Whig party in the sense of revitalizing its organization or realigning political sentiment under Whig leadership. The close majority was a personal triumph for Charles J. Jenkins, Robert Toombs, Alexander H. Stephens, and the local Whig leaders and Union Democrats who almost won the governorship without the aid of party machinery or the backing of national propaganda and patronage machinery. If Herschel V. Johnson and the Democrats had been consistent in their stand for Southern Rights and sectional resistance, the old line of local cleavage might have been restored. But Johnson and the Democrats, in the campaign of 1853, assumed the position in Federal relations from which the State Rights party had been drawn by its alliance with the national Whig party.¹⁵⁰ That was the outspoken opposition to unpopular legislation in the name of state rights, the nearest approach to nullification ever endorsed by a majority vote in Georgia. Former Whig leaders recognized these political realities. Even Alexander H. Stephens, who had insisted most strongly on maintaining the party after its issues were dead and its organization was dissolved, finally admitted that the experiment of a party founded on specific issues had failed.¹⁵¹

The election of 1853 completed a cycle of political development in Georgia which was begun in the election of 1825. A comparison of these terminal points in a political era highlights the abiding features in Georgia politics and indicates the direction of political development under the stimulus of nineteenth century democracy. In both of these elections a candidate of unquestioned ability and political experience pledged his best efforts to the public service in opposition to a popular candidate who held out the delusive hope of representing in office the will of the people. Also in both elections the results fell along the lines of social and economic cleavage between communities devoted to commercial farming and settlements just emerging from the raw, undisciplined state of the frontier. These lines of cultural, social, and economic differences in interests and feelings were unmistakable in the political life of the state. The main difference between the two elections was that Jenkins in 1853 made a better showing in Democratic areas than Troup did in Clark areas in 1825. This difference was due to factors other than political organization, namely, the personal influence of former Whig leaders in 1853 and a modification of the sectional cleavage within the state.

The geographic division between local parties during the generation covered by this study was under pressure from three forces. The first was the onward sweep of democracy. During these years the election of the

¹⁴⁹ S. F. Miller, *op. cit.*, I, 267; *Southern Recorder*, October 25, 1853.

¹⁵⁰ *Southern Recorder*, November 15, 1853; U. B. Phillips, *Georgia and State Rights*, p. 170.

¹⁵¹ A. H. Stephens to Robert S. Burch, June 15, 1854, *American Historical Review*, VIII (1902), 92, 96.

governor was placed in the hands of the people, property qualifications for office-holding were removed, and control of parties was shifted from the half-secret caucus to the half-open convention. As a result, public men found it necessary to make political friends in every section of the state, and state-wide canvasses became the order of the day. A second factor tending to erase sectional lines in the state was the changed character of Federal politics. Two decades of agitation of national issues brought the dawning realization of the power of the Federal government over the lives of the citizens. This realization, in turn, created a new sense of state unity as a measure of self-protection. Finally, these years witnessed a rapid change in the economic character of the state. The spread of the planting area, the accompanying decline in soil fertility, and the stirrings of a spirit of enterprise in manufacturing industry were the compelling economic developments of the era. They imposed upon the regional division of Troup's day the beginnings of a strictly horizontal cleavage in the Democratic party between large planters and business interests against small farmers and wage-earners. With this difference, the conservative, property-minded, machine element of the Democratic party of Georgia in the twentieth century is the intellectual and political heir of the Whig party in the nineteenth century.

CHAPTER VIII

A SUMMARY INTERPRETATION, 1825-1853

Throughout this study the term political party has been used to denote an organization of voters subscribing to similar political beliefs and co-operating in the achievement of common political ends. In the preceding chapters an attempt was made to trace the historical development of the Troup-State Rights-Whig party in Georgia along parallel lines of personnel, organization, and principles. It is the purpose of this final chapter to recapitulate each of these three lines of development as they were related to the economic and geographic structure of the state.

The first interpretations of political parties in the South identified the Whigs with the large slave-holding class. But studies in economic history soon established the fact that there was no strict line of cleavage between farmers and planters in Georgia.¹ A detailed analysis of United States census reports has since demonstrated conclusively that large slave-holders were nowhere in Georgia in the majority and that slave-holders, large and small, constituted a small minority of the voting population of the state.² How, then, did the Whigs exert the powerful influence in politics which this study describes? In strict logic both interpretations here given are correct from their respective viewpoints. The purely political interpretation of Whigs as large slave-holders simply confuses political leadership with party personnel. It is true that Whig leaders of state-wide importance were either large slave-holders or tied to the slave-holding class by residence, cultural affinities, or the practice of law. The same statement could be made for the leaders of the Union-Democratic party. In fact, many of the ablest leaders in that party served their apprenticeships in the Troup or State Rights party and passed over to the opposition where their talents for leadership gained a ready welcome. The economic interpretation, involving a denial of the cleavage between farmers and planters, is at fault in failing to note the plain indications that farmers, preachers, overseers, "patty-rollers," and other hangers-on to the slave system were all slave-holders in politics. Slave-holding as such was nowhere the economic basis for political cleavage, but the hope of prosperity by means of a political program founded on exploitation of natural resources by slave labor was the fatal mirage which lured more than one political party to its doom.

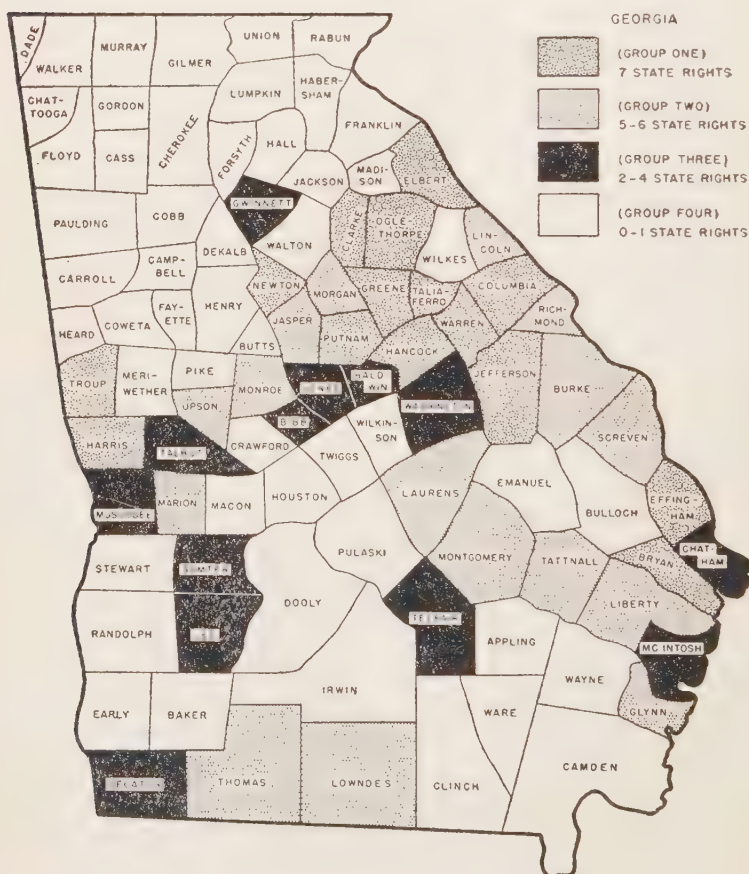
These conflicting interpretations of the history of political parties in

¹ Enoch Marvin Banks, *The Economics of Land Tenure in Georgia*, pp. 18-23.

² Roland McMillan Harper, "Development of Agriculture in Lower Georgia from 1850 to 1880," *Georgia Historical Quarterly*, VI (1922), 97-121; R. M. Harper, "Development of Agriculture in Upper Georgia," *loc. cit.*, pp. 1-27.

Georgia can be reconciled by a geographic-historical summary of the voting strength of the Troup-State Rights-Whig party in Georgia. The accompanying map presents such a cross-section view of the party from 1831 through 1838. This was the period in which the Whig organization was known as the State Rights party. Seven state-wide elections during this period are here analyzed, and county majorities for the State Rights party in every major political test are summarized. Fifteen of the eighty-odd counties of the state gave a majority vote to the State Rights party in every major political test during the thirties. These counties which gave constant support to the State Rights party make up Group One on the accompanying map. All of them had a slave population of at least forty per cent except Newton and Troup. Newton County, the home of Emory College, was known as a

SUMMARY OF COUNTY MAJORITIES IN SEVEN ELECTIONS, 1831-1838



center of culture and refinement.³ Troup County was made up of good, creek valley cotton lands and was, moreover, the home of Julius C. Alford, a State Rights partisan and a well-recognized political figure in the state. La Grange, the seat of its government, was in the forties a thriving supply town, its business supplemented by a cotton factory of 1,600 spindles, ten flour mills, and eleven saw-mills.⁴ Located in the cotton area of the Piedmont, these two counties were not fundamentally different from the eleven other Piedmont counties and two coast counties which voted State Rights through thick and thin. They were simply communities in which property and property ownership were important factors in the political life of the people. These counties voted State Rights not because they had large slave-holders within their borders, but because the State Rights party in Georgia stood constantly for the interests of business and property owners. Since the Piedmont of Georgia was at that time devoted mainly to agriculture, slaves and land constituted the principal types of property.

In sixteen counties constituting Group Two on the present map, the State Rights party was successful in five of seven appeals to the voters of the state. The proportion of slaves to the white population of these counties was similar to that in Group One, though seven counties in this group had a slave population less than forty per cent of the whole. Lowndes, Montgomery, Tattnall, and Thomas were the only counties in the interior of south Georgia where State Rights strength was fairly constant. Tattnall and Montgomery comprised thousands of acres of pine-barren territory entirely unsuited to cotton culture and the slave system of agriculture. Population was thinly spread, and the influences of learning and culture never extended into the remote settlements of the backwoods.⁵ Consequently, politics in these counties was an affair of the village communities along the banks of Oconee and Alapaha rivers, the principal lines of contact between the coast and the cotton Piedmont. The lands of Lowndes and Thomas counties were likewise predominantly of the well-drained, gray-red loam type, highly esteemed for cotton growing. It was reliably reported that much of this land was capable of producing 1,000 pounds of long staple cotton or 1,400 pounds of short staple cotton per acre.⁶ Among the first grantees of land in these counties were many friends of George M. Troup.⁷ As in the counties of Tattnall and Montgomery the vote was small and, unless unusual circumstances stirred the backwoodsmen into action, majorities were cast for the State Rights party.

³ Wirt Armistead Cate, *Lucius Q. C. Lamar, Secession and Reunion*, pp. 23-24.

⁴ *Compendium of the Sixth Census*, p. 51; George White, *Statistics of the State of Georgia*, pp. 547-551.

⁵ Ulrich Bonnell Phillips, *Plantation and Frontier*, II, 167.

⁶ George White, *Statistics*, pp. 385-386, 544-545.

⁷ The first seat of government for Lowndes County was "Troupville" on Little River, between Valdosta and Quitman. The former city was named for Troup's home in Laurens County.

Marion and Upson counties had twenty-five and forty per cent slaves, respectively, were made up of good cotton lands, and were directly in the line of communication between Chattahoochee River and the economic center of the state.⁸ In these counties of Group Two the hopes of the "numerous democracy" were held in the status of unrealized dreams by the determination of State Rights leaders to keep the government safe for the property interests. In counties of Group One and Group Two cotton was undoubtedly king, and its subjects paid homage through the mediums of growing, shipping, or manufacturing the fleecy staple.

Thirteen counties of the state returned majorities for State Rights candidates in not less than two nor more than four of seven elections during the thirties. The despair of the political leaders of the day because of their changeable political complexion, they are designated in this summary as Group Three. They were the doubtful counties and conformed to no uniform economic pattern. In point of corporate age they ranked from Chatham, founded in 1777, to Sumter, set off from Lee in 1831. In ratio of slave population the range was from seventy-eight per cent in McIntosh to eighteen per cent in Lee. In degree of culture and refinement Chatham with its social pattern of more than a hundred years standing was in strong contract to Decatur, described as "a low, sunken frog-pond," and a hunter's paradise.⁹ Though the range in degree of property and of culture in the counties of Group Three was too large for uniform analysis, the types of culture represented two extremes: thickly settled areas surrounding municipal centers, and frontier regions. Chatham and McIntosh with seventy-three and seventy-eight per cent slave population might have ordinarily found their economic interests in accord with the State Rights party. But slaves were not the only form of property to be considered. Savannah was the home of the Georgia branch of the Second Bank of the United States and had shipping interests which were not likely to be served by the State Rights views on tariff and internal improvement. The chief agricultural industry in these counties was the production of rice, and the inhabitants had little interests in common with the cotton growers of the interior. Thus in these counties, though slaves were the chief form of property, the economic interests of slave-owners were by no means identical with those of the State Rights party of the interior.

In the doubtful counties of Baldwin, Bibb, Jones, Muscogee, Talbot, and Washington, the conflict was between economic interests and political forces. Muscogee in 1830 had a slave population of thirty-six per cent and was rapidly filling up with cotton growers who exploited the shallow top-soil of the hillsides before turning to the slower and more complicated process of establishing one of the first industrial and commercial centers

⁸ *Sixth Census of the United States*, pp. 235-237; George White, *Statistics*, pp. 573-576.

⁹ George White, *Statistics*, p. 202; *Compendium of the Sixth Census*, p. 51.

of the state.¹⁰ Bibb County had a slave population nearly equal to its white population, and Macon, the principal town, was rapidly becoming a trade center for middle and west Georgia.¹¹ Baldwin's percentage of slave population in 1830 was sixty-three. In all of these counties slaves constituted over forty per cent of the total population, indicating that investments in commercial cotton-growing were heavy. It would thus be normally expected that these counties would be unwavering in their support of the State Rights party. Located in the area covered by these counties were the municipalities of Columbus, Macon, and Milledgeville, cultural and social centers for property-conscious families in their vicinity. But these municipalities were also trade centers and depended for their prosperity on frontier hinterlands whose needs must be served, and whose cultural and political demands could not be ignored. Both State Rights and Union newspapers were located in all these towns and their columns were filled with a curious jumble of political notices and editorials, advertisements of planting supplies, sentimental short stories, and notices concerning social, religious, and educational activities. The emphasis on political polemics attested to the presence of well-balanced party strength and indicated the importance of newspaper editors in the politics of the decade.

The frontier counties in the doubtful column were Decatur, Lee, Sumter, and Telfair. In these counties the average percentage of slave population was about thirty, and all of these counties had land suited to cotton growing. Not a single State Rights victory was gained in any of these counties until 1835; however, as frontier settlements widened into farming communities, these took their places in the column of doubtful counties. These counties in the thirties were in the process of transition from frontier communities to well-populated farming areas. They and the other counties of Group Three where political, cultural, and social forces created a delicate balance of power furnished the crucial votes that meant party success or failure during the thirties. Political leaders recognized this fact, and the most determined efforts were put forth by leaders of both parties in these counties.

The leaders of the State Rights party were closely associated with the cotton area of middle Georgia, though some of them lived in the doubtful counties of Group Three. The counties within Groups One and Two furnished forty-one of the ninety-seven purely party appointments,¹² 1831-1838. Twenty-nine of these came from counties north of a line from

¹⁰ *Sixth Census of the United States*, p. 235; George White, *Collections*, p. 568-570.

¹¹ *Sixth Census of the United States*, p. 233; George White, *Statistics*, pp. 108-112.

¹² The term "party appointments" refers to chairmen and secretaries of state conventions, members of permanent committees named by such conventions, and candidates for the speakership or presidency of the two houses of the General Assembly. "Nominations for office" as used below include candidates for governor, senator, representatives in Congress, and presidential electors.

the southern tip of Bibb to the southern tip of Screven. Eleven of the twelve from south Georgia were members of an executive committee appointed in 1835 on the basis of three men to each judicial district. These same counties of Groups One and Two furnished forty of fifty-nine State Rights nominations for office. Of the forty, only three nominations went to men living outside the Piedmont area. Thomas B. King of Glynn was nominated for Congress in 1836 and again in 1838; Lott Warren, recently removed from middle Georgia to Sumter, was nominated for Congress in 1838.

Group Three, made up of thirteen doubtful counties, furnished forty-two party appointments, one more than was furnished by the thirty-one unquestioned State Rights counties of Groups One and Two. Of these, thirty-six came from the counties of Baldwin, Bibb, Chatham, and Muscogee, the newspaper centers of the doubtful area, indicating again the large part played by editors in the conduct of party affairs. The remaining six were all members of the 1835 executive committee. These thirteen doubtful counties also furnished thirteen of the nominations for office during the period, slightly more than a fourth of the number furnished by Groups One and Two. It is noticeable that doubtful counties were given more recognition in party appointments than in nominations for office, which went more often to dwellers in the unquestioned State Rights counties of Groups One and Two.

The remaining counties of the state, normally Union, furnished the State Rights party only three party appointments exclusive of the 1835 committee, and only eleven members of that committee. From the same counties came four nominations for the honors of office. Significantly enough, every State Rights leader from these counties passed over into the Democratic party or retired from politics by 1840. The state was thus divided into three distinct but not contiguous geographic-political regions during the thirties. The dwellers in the red-loam area of middle Georgia and the counties along the rivers flowing into the Atlantic Ocean made up the kingdom of cotton and consistently supported the State Rights party. The people of the mountain counties of northeast Georgia, the frontier counties of northwest Georgia and the sand-hill counties of south Georgia followed subsistence farming, voted for Union candidates for state offices, and cheered their hero, Andrew Jackson, in national politics. Interspersed in this pattern were the politically doubtful counties whose economic development was in transition from frontier to farm, or whose inhabitants were engaged in varied economic, cultural, and political activities.

During the forties general economic development in Georgia followed two lines which brought notable reactions in political organization and personnel. In the first place, filling in of the new counties brought a distinct widening of the area of cotton production. As the population, black and

white, increased in these new areas, there was created a demand for primary industries. Grist mills, turpentine distilleries, flour mills, and saw-mills appeared first, and remained most numerous of these small units of manufacturing industry. In the second place, the prevailing low prices for cotton became an incentive for successful planters to invest their earnings in these industries and others more ambitious in size and character. Consequently, foundries, breweries, cotton-mills, and shoe factories soon began to develop in those areas where planters were veering away from the manorial ideal of a self-sufficient rural life and were beginning to devote their best lands primarily to the production of a single staple crop. Every county had its quota of "manufacturing establishments," mainly saw-mills and grist mills, reported in the censuses of 1840 and 1850. In the Piedmont, however, ambitious beginnings were made in the establishment of an economy balanced between industry and commercial agriculture after the formula set forth by John M. Berrien in 1844. According to the census of 1840, the total value of carriage and wagon factories, flour mills, grist mills, saw-mills, oil mills, furniture factories, and other manufactures was \$1,659,587.¹³ In 1845, fifteen cotton mills were reported active, and one million dollars invested in cotton factories. Common laborers were plentiful at ten to fifty cents per working day, and profits as high as twenty per cent per annum were the normal expectation of those who had the capital to invest in manufacturing.¹⁴ By 1849 the number of factories had increased to thirty-six, and stock had been subscribed for six additional companies devoted to the manufacture of cotton. Five of these mills were located in Muscogee County, four each in Clark and Upson counties, and the remaining twenty-three were scattered over the Piedmont region.¹⁵ In 1850 Augusta was the home of a cotton factory, a machine shop, a bucket and barrel factory, two foundries, a brewery, and several small industries of various kinds. Columbus had in addition to the usual corn and wheat mills one paper mill, and no doubt the city had a real estate boom, since all "the parties employed board and lodge themselves." Columbus also had three cotton mills representing about \$200,000 invested in equipment alone. The wages of laborers ranged from twelve cents to fifty cents per day, according to individual skill and experience with machinery. At the same time, overseers could be hired at \$1 to \$2 per day, while competent superintendents were receiving \$900 to \$1,000 per year. Small wonder that one of the mills reported profits of ten to fifteen per cent.¹⁶ Negro slave labor of the nineteenth century evidently had the same effect on wage levels that twentieth century counterparts of Hinton Rowan Helper have attributed to free Negro labor.

¹³ *Compendium of the Sixth Census*, p. 208.

¹⁴ *DeBow's Review*, VI (1848), 292-294, gives a digest of responses to a questionnaire sent out by the Secretary of the Treasury in 1845.

¹⁵ *Ibid.*, VII (1849), 454-455.

¹⁶ *Ibid.*, IX (1850), 215, 430-431.

The foregoing facts, however, are not presented for the purpose of engaging in the century-old pastime of comparing prevailing wage scales in various sections in the United States. They are offered to indicate a change in the direction of economic development in the Piedmont of Georgia during the forties. This deviation and the constant spread of the cotton economy helped to bring a noticeable change in the character and political fortunes of the Whig party in Georgia. By 1850 the cotton kingdom in Georgia was sharply bounded on the north by the line of the foothills. A line from Elbert County on the Savannah River to Troup County on the Chattahoochee River left to the south only five Piedmont counties whose yield that year was less than 5,000 bales of cotton.¹⁷ These five counties were small in area as compared with their neighbors and, therefore, may be regarded as a part of the area of large cotton production. North of this line was an area of smaller cotton production, only one county wide on the east, but widening to the west to include five counties along the Chattahoochee River. In these counties, where small holdings were the rule, less than 5,000 bales of cotton per county was produced. Likewise, in these upper Piedmont counties less than a third of the land was cleared, while in the lower Piedmont nearly half the acreage and more than half the land suitable for planting had already started on the rapid road of exploitation that meant the spread of financial ruin and bankruptcy of plantation owners. The same discrepancies between the two sections existed in the matter of livestock and the production of feedstuffs on the farm.¹⁸

In south Georgia the boundary of the cotton area was equally as sharply marked off by the pine-barren and wiregrass counties. Again in west Georgia, the youngest section of the state, the area of heavy production had the greatest north-south extent and reached to the Florida line. Lowndes and Glynn counties produced less than 5,000 bales each, but production in these counties was mainly of the sea island or long staple variety, worth on the average about twice as much per pound as the upland, short staple varieties.¹⁹ In the red-hill counties immediately south of the fall line and the red lime lands in southwest Georgia, holdings were slightly larger than those in the lower Piedmont, the population was more than half slave, and one-fourth of the land was cleared and planted.²⁰ Throughout the cotton area an average of around eight acres of land per inhabitant was under cultivation, a ratio that should have kept those inhabitants "in pretty comfortable circumstances," according to Roland McMillan Harper, a careful student of the land-population problem in Georgia.

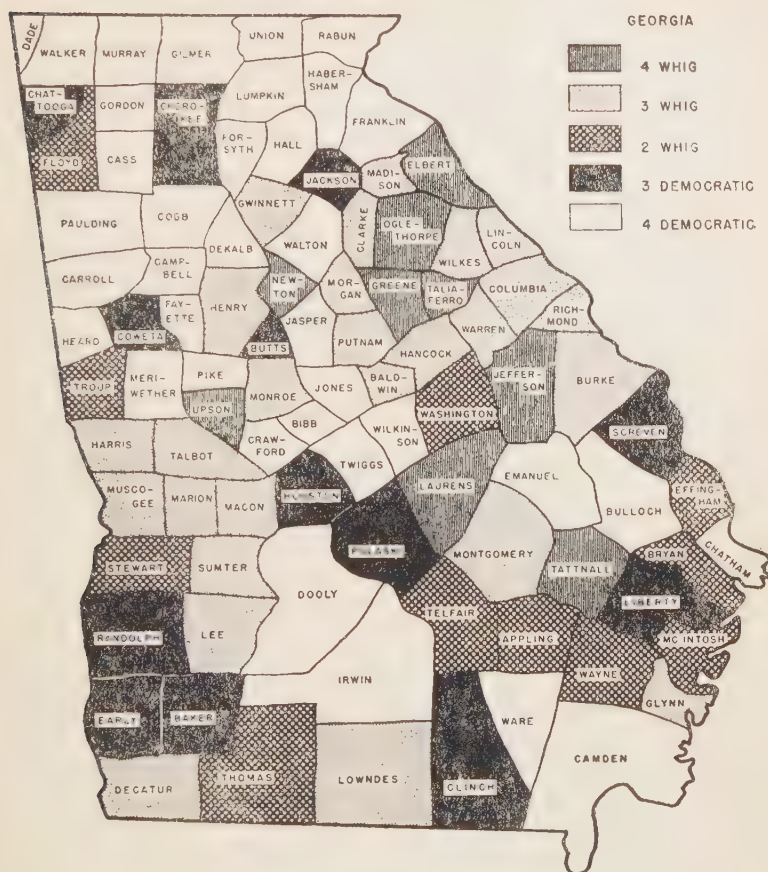
¹⁷ R. B. Flanders, *op. cit.*, p. 86.

¹⁸ R. M. Harper, "Development of Agriculture in Upper Georgia from 1850 to 1880," *loc. cit.*, pp. 13-14, 18.

¹⁹ R. B. Flanders, *op. cit.*, p. 55-57.

²⁰ R. M. Harper, "Development of Agriculture in Lower Georgia from 1850 to 1880," *loc. cit.*, p. 111.

SUMMARY OF COUNTY MAJORITIES IN FOUR ELECTIONS, 1844-1853



To show the relation of the Whig party of the forties and early fifties to these geographic and economic realities an analysis of four elections during the decade, 1844-1853, is presented. This was the period following the success of the Whigs in state elections and including their disastrous attempt to shift their ground to national issues. For this reason elections were selected in which issues of national concern were at stake. The three presidential elections of these years resulted for the Whigs in a minor defeat in 1844, a substantial victory in 1848, and a complete rout in 1852. The gubernatorial election of 1853 was mainly a matter of personalities, but the men involved were prominently connected with the fight for and against the Compromise of 1850.

In these elections only four south Georgia counties outside the area of large cotton production voted Whig in three or four elections. Lowndes and Glynn, the sea island cotton counties, and Montgomery and Tattnall, along the north bank of the Alapaha River, remained loyal to their convictions of Troup and State Rights days. In that part of south Georgia not absorbed into the cotton kingdom, support for the Whig party was as slight as it had been for the State Rights party.

In those counties producing more than 5,000 bales of cotton annually, the ratio of party strength was the reverse of that in the sand-hill area of south Georgia. Of these fifty-two cotton counties in middle and southwest Georgia, thirty returned three or four Whig majorities, five counties divided their majority votes equally between the two parties, four counties favored the Whigs with one majority vote in the four elections, and thirteen counties were constant in their opposition to the men and doctrines set forth by the Whigs. Since large and small counties were in each of the classes here presented, the following figures set forth roughly the numerical ratio of Whig strength in the cotton region. Three-fifths of the vote could be safely counted Whig in advance, unless some unusual circumstance arose. In such case, the Whigs stood to lose as much as two-thirds of their maximum strength, since twenty-one of the normally "safe" Whig counties shown on the map gave one majority to the Democrats. In short, in fair political weather the Whigs had excellent sailing in the most thickly populated region of the state. When the storms of misunderstandings, unimportant issues, and divided counsels came, they went down in hopeless defeat. Though the number of Democratic counties was smaller than that of the Whig persuasion by one-third, the margin of safety for the Democrats was greater. Only four of the seventeen normally Democratic counties failed to give constant support to their party. In the fourteen counties of the upper Piedmont, where cotton-growing was supplemented by general farming, only two counties returned three majorities for Whig nominees. These were Gwinnett and Madison, hard by the lower Piedmont, and populated largely by small planters who had been attracted to the State Rights-Whig party by its insistence on equalization of representation in the state legislature.

The total voting strength of the State Rights party fell short of equality with the Union-Democratic party throughout the decade of the thirties. During those years, however, success at the polls was determined by the vote of several doubtful counties. Some of these counties were the focal points of newspaper controversy; others were second generation frontier counties possessing fine cotton lands, or located on the lines of transportation from middle Georgia to the coast towns of Mobile, Brunswick, and Savannah. When the issues of sane, orderly government and conservative methods of public finance outweighed the demands for democratic

action of the state in the interest of its citizens, these counties gave the majority of their suffrages to the State Rights party. After that party joined its fortunes to the national Whig party in the early forties, a series of Whig victories set the state government definitely in the direction of fostering good business methods and encouraging the production of cotton as a medium of prosperity. During the final decade of the existence of the Whig party the geographic incidence of party strength became more marked, doubtful counties became scarce enough to be virtually a negligible factor in statewide contests, and the Whigs went down in a defensive fight to retain counties in the Piedmont that had been constant in support of their State Rights predecessors before the absorption of the State Rights organization into the national Whig party. During the forties Screven and Jasper counties passed from the State Rights column over into the Democratic column; Bibb, Jones, and Chatham ceased their wavering between the parties and consistently supported the Democratic party. This was the era in the economic development of the state in which the cotton planting system in middle Georgia reached its height in productivity, and began making adjustments in the direction of diversified farming and investments in primary types of industrial processing of farm products.²¹ These new farmers and farmer-capitalists, large and small, did not support the Whig party with the same fervor that they had shown in support of the State Rights party during the prosperous years of the middle thirties. The gains of the party in southwest Georgia and the upper Piedmont, where commercial farming was increasing, were not sufficient to balance outright losses in the lower Piedmont, much less atone for the frequent lapses of traditionally State Rights-Whig counties.

The Whigs in Georgia won their greatest success as a state party representing the interests of cotton growers, shippers, and dealers. In the early forties the cotton industry was at the height of its development in Georgia, although prices were low and economic conditions were stringent. Sensible men who looked at economic and political problems alike in a national light saw that permanent prosperity and happiness could come to the state only through the medium of a balanced economy and a sane attitude toward issues of national politics. Such was the basis for the defense by Georgia Whigs of the tariff of 1842. Continued low prices for cotton, however, finally taught Georgia Whigs the error of dependence upon commercial farming and weakened their faith in the efficacy of a protective policy. In the meantime, their party became more and more in-

²¹ R. B. Flanders, *op. cit.*, pp. 66-81; Ulrich Bonnell Phillips, "Origin and Growth of Southern Black Belts," *American Historical Review*, XI (1906), 798-817; R. M. Harper, "Development of Agriculture in Upper Georgia from 1850 to 1880," *loc. cit.*, pp. 1-27; Ulrich Bonnell Phillips, "The Economic Cost of Slaveholding," *Political Science Quarterly*, XX (1905), 257-267; Avery Odelle Craven, "Agricultural Reformers of Ante-Bellum South," *American Historical Review*, XXXIII (1928), 302-314.

volved in sectional issues that cut across party lines. With "King Cotton" tottering on his throne and Whig national leaders dallying with the anti-slavery threat, it is no wonder that Georgia Whigs deserted the party they had formed to protect the interests of their specialized type of commercial farming. It is futile to point out that continued investment in manufacturing might finally have brought the much-discussed balance between agriculture and manufacturing. The rising price of cotton from 1848 to the eve of the Civil War again drove Georgians cotton-mad. By the time "King Cotton" regained the ascendancy in the middle fifties, the exploitation of new cotton lands in Georgia was virtually ended, and the Democratic party had usurped the place of the Whig party as the representative of the planting interests. How this was accomplished is a part of the narrative history of the organization here characterized as the Troup-State Rights-Whig party.

During the Troup era, 1825-1833, party organization was extremely informal. In the first election of a governor by popular vote in 1825 George M. Troup and John Clark announced their candidacies through the columns of newspapers. Immediately the many friends of these former rivals in elections by the General Assembly began working in the various counties for their respective favorites, and local politicians were soon divided along the same line of cleavage that had been so evident in the General Assembly. The effect of the changed method of electing the governor was to change the name Troup from a touchstone of personal friendship in politics into a shibboleth of party organization. The old name simply clung for a few years to a new party that was emerging from the rapid population growth and economic development of the state. The unifying element in this growth and the political advantage to be gained from it were the real bases for the change in 1826 to the general ticket system of electing representatives to Congress. The general ticket system, in its turn, made possible the nomination of congressional candidates by a legislative caucus. With congressional elections in even years and gubernatorial campaigns in odd years there were sufficient appeals to the electorate to satisfy the most rabid believer in the Jacksonian doctrine of frequent appeals to the people. At the same time, the legislative caucus gave opportunity for the natural aristocracy of Jeffersonian tradition to keep the ultimate control of politics in safe hands. The legislature of 1826 began the practice of nominating candidates for governor by party caucuses.

The Troup majority in the legislature of 1827 made no caucus nominations for the congressional election of 1828. This oversight was the occasion for the first step in the transition to the use of the nominating convention by the Troup-State Rights-Whig party. A few middle Georgia leaders met at Madison Springs in August and drew up a list of names for congressional candidates that was accepted by the party organs and received the support of most of the "friends of Governor Troup."

The Troup leaders got the better start in the adoption of state-wide methods, more because of the misfortunes of their opponents than because of the popularity of their cause. For four years the Troupites won majorities in the annual legislatures, named the chief executive of the state, and determined the representation for the state in both houses of the Federal legislature. This was the heyday of the legislative caucus, and the Troupites found it a most convenient medium for carrying out the so-called will of the people under the direction of the Troup party. In 1829 the ultra-aristocratic clique within the party was defeated by steam-roller methods in caucus and a skillful appeal to Clark strength under George R. Gilmer's leadership. In 1831 Wilson Lumpkin was successful in completing the transformation of the decadent Clark party into a new and powerful party on the shibboleth of "Union." Lumpkin's election as governor in 1831 was the first blow in a two-year struggle to break the hold of the Troup party on the government of the state.

The first response of Troupites to the rising power of the Union party was ridicule at the attempt to drag the "foreign" issues of national politics into the traditional alignment on the basis of personal and family connections. They were able to retain control of the political machinery in the state until the fight among their own leaders incident to the congressional election of 1832 revealed the legislative caucus in its true role of defeating the will of the people just as often as it carried that will into effect. Whereupon, Troup leaders adopted the new and popular nominating convention, which transferred the nomination of candidates from the popularly elected members of the legislature to party leaders chosen as delegates in county caucuses. This change increased the importance of local party machinery, and Troupites found convenient bases of operations in the county committees organized during the anti-tariff agitation in 1832. The Troup party supported Andrew Jackson in 1828 and found no fault with old Hickory's Indian policy. Jackson's unquestioned preference, however, for the more democratic Clarkites drove most of the Troup leaders to the support of John C. Calhoun and John M. Berrien. Georgia narrowly missed a trial at nullification in 1830 and 1831. Would-be nullifiers were taken aback by the rapid cooling of anti-tariff sentiment and the growth of a strong anti-nullification sentiment in the Troup party. By 1833 the emphasis in national politics shifted from constitutional to political issues, and the Troup leaders formally cast in their lot with the anti-Jackson forces by assuming the name, "State Rights party."

There was in the change more than the assumption of a new name for the party. Many former Troup voters refused to follow their leaders into an opposition party and joined the Union party. Instantly branded as Troup-Union men, they held the balance of power in two gubernatorial contests and one presidential election. In an effort to regain these voters, the State Rights party machinery was expanded from the junto in Mill-

edgeville into practically every county in the state. Thus in the act of alignment with the national opposition to Jackson the Troup party also became a "popular party" in that its leaders made a direct appeal to local politicians all over the state. Overwhelmed in both state and national elections, members of the State Rights party assumed the minority position of captious criticism and defense of the rights of the state. They also revealed their love for the past and their admiration for Thomas Jefferson by raising as their standard the Virginia and Kentucky Resolutions of 1798.

Throughout the years 1833 to 1840, the State Rights party maintained its county and state organizations almost entirely without benefit of the "cohesive power of the public plunder." During the thirties its lines were weakened by the loss of several leaders to the Union party, notably James M. Wayne, Wilson Lumpkin, and John Forsyth. Though county organizations grew in strength and in numbers, the party's only victories at the polls from 1832 to the congressional election of 1838 were the presidential election of 1836 and the gubernatorial election of 1837. These were barren of practical political fruitage, since the State Rights party pledged its support to Hugh Lawson White in 1836, and Governor Gilmer spent his entire second term in a struggle with Union majorities in the state legislature. As the election of 1840 dawned on the political horizon, State Rights leaders were attracted to the Whig party by its nomination of William Henry Harrison. Driven by the long hunger for public office, they were not over-solicitous about principles, and they devoted their campaign in Georgia to strenuous efforts to redeem the country from the hands of the spoilers under the lead of Van Buren. Lest unwary and unread voters might again become dazed in a shuffle of party labels, the caption "State Rights-Whig party" was adopted for the log cabin and hard cider campaign in Georgia. The congressional election of 1842 completed the process of amalgamation in leadership and issues, and George W. Crawford was elected Governor of Georgia in 1843 as the nominee of the Whig party.

The Whigs of Georgia fought their Democratic opponents on equal terms from the presidential election of 1840 until the disruption of the party lines in 1849. They worked under the triple handicap of the aristocratic pretensions of their Troup predecessors, the anti-nationalist bias of the State Rights party, and their own sturdy loyalty to the ideals of individualism and strict laissez faire doctrines in the relation of the state to its citizens. These policies ran directly counter to the current demands for state relief and democratic paternalism in both state and nation. The defects in the Whig armor, however, were matched by decisive advantages in offensive warfare. During the preceding decade the party had perfected a system of local organizations; its frank defense of the interests of property and intelligence likewise attracted to its ranks the strongest group of leaders ever organized in Georgia politics. From public platform and

newspaper columns intellectual giants of the day kept up a steady barrage of logic and eloquence against what they considered the destructive doctrines and innovations of an unbridled democracy. Their successful appeals to the electorate during the forties were too numerous to be explained by any system of comparative ratios in social and economic groups. More to the point was the fact that they won many victories for their party principles of economy and sound business methods in government while they were in a numerical minority in the state legislature.

But synthesis in this case gave rise very rapidly to antithesis. While the Whig party attracted a handful of giants in leadership, the Democratic party became the political home of many able men. Consequently, for most of the decade of the forties party division fell along the classic lines of a few leaders of high ability against many leaders of average ability, while the electorate remained free to choose between the two. In 1850 the sectional issue in Georgia politics overshadowed this alignment which had a half century of development behind it. Once again the standard of Union was raised, this time by a coalition of the best talent in both parties. This coalition was given the appealing title of the Constitutional Union party; it was the beginning of the end of the Whig party in Georgia. Whig leaders read the fate of their party in the second-rate appointments which they received in the Constitutional Union party. Nevertheless, they pleaded with their followers to stick to their bargain and save the Federal Union at the risk of losing their party. They were successful in holding the great majority of Whig voters to the support of Howell Cobb for governor in 1851. They failed, however, to compose their own differences as to presidential candidates in 1852; and Scott, the Whig nominee, refused to make any statement on the extension of slavery acceptable to Georgia Whigs. Read out of the Constitutional Union party by the Democratic majority and denied admission to the Democratic national convention, the Whig organization in Georgia went down before the strength of the equalitarian traditions of the Democratic party, incongruously coupled with support for slavery in the territories by that party and its candidate for the presidency.

The election of 1852 brought about the complete breakup of the Whig party in Georgia. The two Whig nominees, Scott and Webster, received a total vote much less than Clay had received in 1844. County majorities were confined wholly to the areas of undoubted Whig loyalty, where strong leaders were able to carry their neighbors in their own personal endorsement of Scott or Webster. The great mass of Whig voters and local leaders simply went over to the Democratic party which thus became the heir to the Constitutional Union coalition. In 1853 Whig leaders of statewide importance massed in a determined effort to elect Charles J. Jenkins to the governorship. Without county machines or the hope of reward from a national organization, Alexander H. Stephens, Robert Toombs,

and Jenkins made direct and personal pleas to the voters of Georgia for the continued support of the great sectional truce known as the Compromise of 1850. Their loyalty to the Union was so sincere and patent that former Whig editors, always a little more cognizant of principles than the usual run of political leaders, were a unit in the support of Jenkins. Likewise, four counties in northwest Georgia gave majorities for Jenkins and the Union to which he stood pledged. No break was made, however, in the county organizations established by the Democrats and augmented by the political larceny perpetrated in the name of the Constitutional Union party.

The most generally accepted thesis explaining party division in politics is derived from the Marxian doctrine of class cleavage along economic lines. The phenomenon of parties in the United States has often been explained as the result of differences on the nature of the Union and the interpretation of the Constitution. The discerning British scholar who first made this observation also laid down the general rule that men are naturally divided into two groups on their fundamental attitude toward political change. That is to say, there is inherent in society a party of change and a second party which clings tenaciously to any existing social institution and resists any sort of change in well-established institutions. The Troup-State Rights-Whig party did not entirely conform to either of the foregoing theories and cannot be forced into conformity without being robbed of some of its historical value. The compelling aim of the party was to get control of existing machinery of government, to maintain that control, and, in some cases, to change the form of government the better to serve the dominant interests of the group. It never rested its case on an appeal to a single class of society. During the period of this study it was the aim of both parties in Georgia to affix to the opposition the label of "aristocracy." The members of the Troup-State Rights-Whig party, however, never went to any great lengths to defend themselves against this charge, unless the charge was accompanied by accusation of graft and personal aggrandizement at public expense. In defeat and victory alike they proclaimed and even boasted that theirs was the party of talents, culture, training, and high ideals of public service. Containing in the upper ranks of their leaders many men of broad learning and high scholarship, they naturally had a respect for the past that approached at times the unreasonable reverence of Edmund Burke for eighteenth century English political institutions. They were never opponents of progress, but they always insisted on their peculiar definition of progress, and they usually exhibited the business man's fear of rapid and radical change.

It is unfortunate for students of American political institutions that no great Whig ever drew up a conscious exposition of the common basis of thinking and feeling that held the party together. Two men in the Georgia Whig party had both scholarly training and political insight for such a

task. Alexander H. Stephens, however, spent the twilight years of a busy life composing an involved and labored defense of secession from the simple assumption of original sovereignty of the states.²² Robert Toombs, embittered by the Civil War and disillusioned by the post-war drop in ideals of public service, found a poor solace in strong drink and became to a rising generation the tragic symbol of the passing of a great generation of statesmen.²³

In the absence of any competent statement by a contemporary, the twentieth century student of the Whig party in Georgia has two sources from which the principles of the party may be derived. These are the economic and social status of the leadership and personnel of the party and the stand of the party on current issues of politics. It has been shown in the first section of this chapter that constant Whig support came from those counties where cotton-growing and attendant activities were the dominant interests, or from those counties where investment in primary types of manufacturing and commercial ventures supplemented cotton-growing. It is the purpose of this section to review the party's support of important political issues and then to derive from the geographic incidence of the party plus these party issues a synthesis of common principles.

During the Troup era, which marks the origin of the Whig party in Georgia, there was no cleavage on the basis of current issues or fundamental principles of government. Appeals were made on the basis of family ties and personal friendships, and election results fell along the lines of settled communities against frontier counties. The Troupites, however, made no public issue of this economic difference and, after 1825, wisely selected gubernatorial candidates with strong penchants for garnering votes in the frontier counties. In Governor Troup's famous controversy with the Federal government in regard to the removal of the Creek Indians, he won a smashing victory for his party by opening the Creek lands for immediate settlement instead of postponing survey and settlement until the painful process of removal could be negotiated by the slow-moving War Department. The Clark party charged that Troup used this difficulty with the Federal government to gain an unfair advantage in state politics, but Troup's friends defended him against the charge of unfair manipulation. It must be noted, however, that the real issue between the state parties was concerned with the method and speed of removing the Indians and not with any theoretical basis of relations with the Federal government.

Elated by his overwhelming endorsement by the voters, Governor Troup in 1825 tried to mass his support behind the issue of internal im-

²² Alexander H. Stephens, *A Constitutional View of the Late War between the States*, 2 vols.

²³ Comer Vann Woodward, *Tom Watson, Agrarian Rebel*, pp. 39-40, 54-55, 93-95. Toombs' letters reveal very closely his early dislike for formal academic training. He did have, however, a noticeable talent for clear and lucid expression.

provements at state expense. County and sectional prejudices, however, proved stronger than personal leadership, and the Troup majority in the legislature of 1826 was badly split between the poor, upland counties and the fertile, river-bottom areas. The issue of internal improvements was immediately dropped by the Troupites. In its stead they seized upon opposition to the tariff acts of 1824 and 1827 as an issue that would appeal to agrarian property interests throughout the state; and again the issue of Federal relations became a safe and effective shibboleth of party organization. Troup leaders recognized the tariff as an issue that would fit well into their own love for Jeffersonian platitudes and the jealousy of state leaders against Federal encroachments. These were the bases for the reorganization of the party and the final abandonment of the shibboleth of a family name in 1833. The old leaders of this new party were handicapped by a small vociferous group of nullifiers within their ranks who wished to place the state alongside South Carolina in an effort to set up machinery for blocking undesirable acts of the Federal government. This handicap, the preference of the Jackson Administration for the Union party, and the development of the cotton system to offset the effects of the high tariff meant the forcing of the State Rights party into a secondary position in the state.

The anti-tariff agitation, in fact, proved a tragic boomerang to the Troup party. The reaction of the state to the agitation during 1828 and 1832 and the continuing popularity of Jackson with the great mass of the people brought defeat to the Troup party in 1831 and complete disruption in 1833. Meantime, the administration of George R. Gilmer gave the Union party the first issue on which it could base an appeal to the voters of the state. Governor Gilmer manifested an unfeigned anxiety to protect property in the Cherokee Indian territory against idle, profligate, and worthless citizens who were attracted to the new country by the discovery of gold in 1829. This laid him and his party open to the charge of class preference and oligarchic aims in the state government. Gilmer was defeated for re-election in 1831 by a former Troup leader, Wilson Lumpkin, and the Troup party stood condemned before the people of Georgia as a greedy clique who desired to operate the state government for its own benefit, and to prevent the Federal government from exercising any check on its power. In the meantime, the Troup party under Gilmer's leadership had become associated with a humanitarian and conservative policy in regard to the unceded lands of the Cherokee Indians. This policy was practically a reversal of Troup's stand six years earlier. No doubt it contributed fully as much to Gilmer's defeat in 1831 as did the charge of nullification engendered by the Troup party's anti-tariff activities. At any rate, the Troup majority in the legislature of 1831 repudiated the defeated Gilmer and passed an Indian land bill that was virtually an acceptance of the Union party's contention for forcible and immediate

evacuation of the Indians, and the opening of the new lands without let or hindrance to citizens whose natural hunger for land had been intensified by the report of gold deposits.

The Union party marched forward in seven-league boots during the thirties, gaining favor steadily with the voters of Georgia as well as the leaders of the national Democratic party. During the first years of the decade the Troupites were engaged in a bitter internecine warfare between powerful groups of leaders representing opposing aims and principles of party action. The old-line Troup faction under the lead of William Harris Crawford and his kinsman, Joel Crawford, wished to preserve the party as a state machine devoted primarily to the interests of property and business. John M. Berrien, Augustin S. Clayton, and other able men in the party were determined to swing the party into the movement then getting underway to form a national anti-Jackson party. These two forces came into head-on collision in the anti-tariff meeting at Athens in August, 1832. By the adroit combination of guile, persuasion, and force, the Berrien group won this encounter and maintained the outward appearance of peace between the two factions. Resolutions were passed which condemned the protective tariff and called for a state convention to suggest the proper means of redress. Such a convention met at Milledgeville in November, 1832. After purging itself of a strong Union party minority, this convention passed resolutions which restated the compact theory of the Federal Union as set forth in the Virginia and Kentucky Resolutions of 1798, specifically declared the tariff of 1832 unconstitutional, and called for the election by Georgia voters of delegates to a convention of Southern states to demand its repeal. A few days later the Troup majority in the state legislature practically repudiated the action of the convention and respectfully entreated Congress to relieve the planting states of their tariff burdens. The decisive action of President Jackson in regard to South Carolina nullification and his sympathetic attitude to Georgia's Indian problem again defeated the purpose of Whig leaders to whip anti-tariff sentiment into an anti-Jackson movement. The proposed election of delegates to a Southern convention was never held, and the very question of the proper "means of redress" soon became a purely academic debate, that, nevertheless, called forth a civil war before it was finally eliminated from national politics.

During 1833, as the party agitation of the tariff subsided, the issue of constitutional reform claimed the attention of political leaders in the state. From the beginning of its existence the Troup party stood for the principle of representation in proportion to population in the various counties, and a Troup legislature in 1826 passed a bill providing for the general ticket system of electing representatives to Congress. In 1829 Governor Gilmer bluntly stated the demand of the Troupites for readjustment of the basis of representation in the state legislature. This demand was repeated

by a caucus of Troup leaders in March, 1832, that met in Hancock County and pointed out that each voter in the poor and the thinly populated counties of south and west Georgia possessed power in the state government from two to ten times as great as a voter in the rich and thickly populated counties. Another meeting was held at Milledgeville in May, 1832, with delegates present from twenty-six large counties, and a call was sent out for a convention to amend the constitutional provision for representation in the state legislature. Extra-legal action, however, was avoided by the passage in the Troup legislature of a resolution providing for a constituent assembly to meet in May, 1833. This convention was overwhelmingly Union in sentiment. It refused to equalize representation and proposed the substitution of a free-white basis for apportionment of representation in the place of the Federal Ratio plan. These proposals were opposed by the Troupites on the grounds that the Federal Ratio did not give representation to slaves or undue representation to property, and that a desertion of the Federal Ratio would weaken the South in its struggle for the protection of its rights in the Union. The amendments were defeated in almost every county in the state. In the same election, Joel Crawford, the Troup nominee for governor, was defeated, and a clear Union majority was sent to the legislature. Crawford's nomination was a concession to the conservative wing of the Troup party, and his defeat left the party purged of those who stood in the way of making the party into an anti-Jackson machine.

The consummation of the hopes of those who wished to end the Troup party came in November, 1833, when the leaders of the party adopted the name "State Rights party"; they also formally joined their efforts to the other State Rights Associations, active throughout the Union, in the task of embarrassing the Jackson Administration. They adopted as the formal creed of the party the Virginia and Kentucky Resolutions of 1798, pledged their constant opposition to Jackson's Proclamation to the People of South Carolina and the Force Bill, and urged the people to rally to the defense of the rights of free government and state sovereignty, always the last refuge of a minority party. For a year following the change of party labels, State Rights leaders actively tried to maintain their lines on the question of Federal relations and the nature of the Union. Especially did newspaper editors emphasize state sovereignty and the absolute necessity of checking, by the residual power of the state, the overweening power of the Federal government. Editors of Union newspapers also insisted on state sovereignty, but in spite of this weakness in their premise they made appealing arguments for the doctrine that resistance to laws passed under the Constitution was treason. Occasionally a State Rights editor, in an effort to refute the arguments of his opponents, upheld the doctrine of nullification. At no time, however, did any responsible leader or group of leaders of the State Rights party ever admit that the aim of the party

extended further than a statement of the right to nullify an act of the Federal government that was oppressive and unauthorized by the Constitution. In strict logic the State Rights leaders had a strong case and used their arguments most skillfully.

Logic in debate soon proved an ineffective weapon in political battles, however, and the gubernatorial election of 1835 inaugurated a five-year period of exchanges of the lowest sort of personal diatribes in state and national campaigns. In such a spirit Martin Van Buren in 1835 and 1836 was painted by State Rights leaders as an abolitionist, a cheap politician, an advocate of Negro suffrage, and a scoundrel without public integrity or personal honor. When the State Rights party nominated George R. Gilmer for governor in 1837, the Union leaders revived the old charge of aristocratic pretensions, and played so many variations of bigotry, dishonesty, and favoritism on the main theme that the veteran Gilmer was sickened and disgusted at the slimy flood. In the same campaign the State Rights party turned its guns with telling effect on the administration of William Schley, who had been elected governor by virtue of the divisions in State Rights party ranks in 1835. Aided by the panic, the State Rights party carried the majority of the doubtful counties and elected Gilmer to the governorship in 1837.

With Gilmer at the head of the executive department and a Union majority in both branches of the state legislature, the State Rights party translated into action the criticism it had poured on Governor William Schley's administration of the Central Bank of Georgia. This institution was established by a Troup legislature in 1828 as a fiscal agent for the state and was empowered to discount the notes of individual citizens up to a maximum of \$2,500. After the election of a Union governor in 1831, the bank was placed in the capable hands of Tomlinson Fort of Milledgeville, who thus rounded out in the field of public finance a career already notable in the practice of medicine, journalism, and local politics. Fort used his position as head of the Central Bank to encourage the banks of the state to emit issues of currency and credit beyond the margin of business prudence. Fort was careful, however, to keep the issuance of currency by the Central Bank within safe bounds and to avoid direct responsibility for the Central Bank in credit expansion. Consequently, when the panic of 1837 burst upon the state, the Central Bank was in position to weather the storm, while the many banks throughout the state under individual or corporate ownership were forced to repudiate their obligations to creditors, depositors, and bill-holders alike. Thus was created a perfect setting for the minority party's criticism of the state administration as an engine of personal graft and financial oppression. The State Rights party was not remiss in its opportunity. Governor Gilmer, following the example of Andrew Jackson in the Federal government, virtually killed the Central Bank by executive action, and Whig legislatures of 1840 and 1843

ended the state's experiment in public finance. A safe and sound fiscal agent founded under Troup auspices became a dangerous experiment and a threat to the financial stability of the state in seven years of administration by the Union party, according to the orthodox State Rights-Whig view.

As the state legislature remained Union after the State Rights success in the gubernatorial campaign of 1837, Gilmer once more made a sharp demand on the Union party for reduction and equalization of the representation in the state legislature. The Union party accepted the challenge by passing a bill calling for a constitutional convention in May, 1839. The Union party won a majority in the convention. There were in Union ranks, however, many men who highly resented the oligarchic leadership established in that party during the administration of William Schley, 1835-1837. By a temporary alliance with this liberal group in the Union party, the State Rights leaders in the convention procured the submission to the convention of a constitutional amendment which would have deprived many of the poor and thinly populated counties of their representation in the lower house of the state legislature. The State Rights delegates, however, would not consent to the free-white basis of apportionment of representation demanded by their Union allies, and the amendment was defeated on a final vote in the convention. Subsequently, the Union amendments, which really proposed reduction without equalization, were defeated by the vote of the people. In the same election, however, the State Rights party sent to the state legislature a total membership almost equal to that of the Union party.

Throughout the entire period the State Rights-Whig party made its strongest appeal to the electorate on the issue of economy and good business methods in the state government. The State Rights-Whig party never opposed internal improvements, an adequate state penitentiary, or public education as undesirable means of serving the public interest. The leaders of this party, however, did not initiate a single act in these commonly accepted fields of nineteenth century social legislation. Moreover, these leaders opposed every specific proposal offered by their opponents and discovered compelling arguments in pressing needs for economy in state expenditure. They were aided in these obstructive tactics by recurring periods of economic stringency, and by the fact that conservative Union-Democrats were always ready to oppose the demands of the liberals in their party for social legislation when State Rights-Whig leaders emphasized the effects of its cost on the state and the tax-payers. By this method the State Rights minority in the legislature, 1831-1839, was able to block all efforts at a general program of internal improvements, and to prevent any specific appropriation of funds to the building of the Western and Atlantic Railway. In its early stages the first state-owned railway in the United States was financed by executive loans and orders, by the issuance

of scrip and bonds by the dummy corporation set up by the legislature, and by funds from the state treasury "not otherwise appropriated." In 1836 and 1837, when Georgia's share of the surplus revenue became involved in the controversy over financial legislation, the State Rights minority was likewise able to divert most of those funds from the Union plan for public education into the less objectionable channel of the Central Bank. Two years later, as the State Rights party approached equality of strength in the legislature, its members forced the repeal of the poor beginning of a state school law that had been passed under the spell of Federal aid. They also assumed a bold leadership of the economy sentiment in the legislature of 1839 and gave the state an economy appropriation bill, which set the fashion for restricted expenditures until the orgy of extravagance and loose spending broke through in Reconstruction days.

The presidential campaign of 1840 was not waged by the State Rights-Whig party on any question that the most fertile historical imagination could magnify into a division on issues. On the other hand, everything that might have suggested an issue was carefully avoided by the leaders of the party, and the war-cry of "Tippecanoe and Tyler too" was sounded up and down the state in a noisy wave of enthusiasm. The following year the Union-Democratic party effected a return to power in the state on the question of economic relief, only to have its numerical majority melt away under the warm blandishments of economy-minded Whig leaders. The financial system which had been set up in 1839 and perfected in 1840 was continued without material change. The State Rights-Whig leaders kept the economy issue before the people of the state constantly, and the election of 1843 gave them victory and the opportunity to round out the financial system they had laboriously fabricated by the use of the political and parliamentary methods always available to a determined and able minority. With a grand flourish they swept clean the debris of the Central Bank which had borne the brunt of the State Rights-Whig hammering since the panic of 1837. By an admirable juggling of state credit and economical handling of funds, they provided for completion of the Western and Atlantic Railway without further direct expenditure by the state. Thus they gained political advantage by completing the railway without violating their cardinal principles of economy and wise management of the public business. They refused to follow the lead of Governor George W. Crawford, who wished to transform the state penitentiary into a humanitarian institution for the reclamation of criminals to lives of useful citizenship. Rather they reformed the rules of the prison for more effective police and provided that convicts might be taken from the prison and put to work on the Western and Atlantic Railway. The Whigs were so well pleased with these achievements that in 1843 they passed a constitutional amendment and enacted statutory legislation that perpetuated the unequal basis of

county representation in the state legislature which they had opposed throughout the thirties.

The factor in the political equation which turned the balance against the Whigs was the increasing emphasis on national issues. A skillful combination of criticism, ridicule, and meaningless noise carried the presidential election of 1840 to a successful issue. The next year there arose a question in which personal, political, and state party issues were so intertwined that a more decisive program of action was necessitated. John M. Berrien, elected to the United States Senate in 1840, took his seat in the special session of 1841. He joined the national Whigs in opposition to the sub-treasury plan, supported them in their demand for distribution of the surplus revenue, and voted with the Whigs on minor political tests. Georgia Democrats, having relearned in 1840 that the voters of the state demanded their issues plentifully spiced with personal and controversial side-lights, passed in the legislature of 1841 a resolution of censure on Berrien's conduct and demanded his resignation. Berrien and the Whigs tried to shift the issue from the national problems of revenue, finance, and the tariff to the old quarrel concerning the relations of the members of the state legislature to a United States senator. Were they his "constituents," or were they recipients of a trust from the people in electing men to represent the people of the state in the United States Senate? Berrien upheld the latter view, and the leaders of the party supported him. Berrien's lack of popularity with the members of the legislature, however, almost brought his defeat after the controversy had dragged through a year of heated discussion.

The net effects of the agitation of this question was to tie Berrien and the State Rights party to an alliance with the national Whig party, since the questions at issue were fundamental principles of Whig doctrine at that time. While echoes of this discussion were still reverberating through the state, the national Whig party nominated Henry Clay for the presidency on a platform dedicated to a tariff which would support the Federal government and furnish "incidental" protection to American industries. John M. Berrien, William C. Dawson, and other Whig leaders in Georgia defended such a tariff, and Berrien made one of the great speeches of his career at Boston in support of protection as a national policy. Alexander H. Stephens and Robert Toombs, however, were less outspoken on the tariff and paid more attention to the issue of territorial expansion.²⁴ The strictly moral phase of the Texas question almost betrayed Toombs into an unqualified condemnation of annexation. He readily saw the political error in such a stand and refrained from extreme utterances in favor of

²⁴ George Rawlings Poage, *Henry Clay and the Whig Party*, p. 135, asserts that Stephens knew that Clay was favorable to annexation and wrote the Raleigh letter as a temporary political "policy." Stephens never made a public expression of such a view in Georgia, and his brother was dissatisfied with Clay because of the Raleigh letter. See *infra*, pp. 107-109.

Stephens' more cautious attitude. In spite of lack of agreement among Georgia leaders on candidate and platform in 1844, few Georgia Whigs bolted the national party. While defeated, the margin of defeat was so small that no doubt concerning the further existence of the party arose. Defeat in the presidential campaign, however, and the wise administration of the economy program under the lead of Governor George W. Crawford seemed to bring a lull in the heat and fury of party politics; and Crawford was re-elected in 1845, along with a Whig majority in the state legislature, in one of the quietest campaigns during this stirring period of the state's political history.

In the meantime, the outbreak of the Mexican War in April, 1846, forced the issue of expansion to the front. The national Whig party almost allowed the idealists in its ranks to surrender the party into the hands of its anti-slavery wing by declaring against a war to bring Texas into the Union. At this juncture the sane and realistic pronouncements of Alexander H. Stephens probably saved the national Whig party from immediate destruction in the tidal wave of war enthusiasm. Stephens changed the point of attack from annexation and war as such to the costly and "dictatorial" conduct of the war by the Democratic administration. On this basis the Whigs in Congress furnished stronger opposition to the successful prosecution of the war than did the Mexican armies in the field. Stephens was again thrust into the limelight of national party leadership when he successfully led the opposition in the House of Representatives to the Clayton Compromise, after its passage in the Senate with the support of Southern Whigs. Consequently, Stephens was regarded as the stormy petrel of Georgia politics, and older leaders in both parties looked on his rising popularity with apprehension. The state was thoroughly aroused on the issue of slavery in the new territory, and "Little Ellick's" fighting spirit dramatized the defense of slavery extension into a forceful and dynamic appeal. Older Whig leaders in the state, especially John M. Berrien and William C. Dawson, hesitated to discard the old and time-worn patterns of resistance through appeals to the sovereignty of the state and the threat of nullification as the ultimate "means of redress," though Berrien had heartily supported the Clayton Compromise against the opposition of Stephens and Toombs. The Whig party in Georgia was saved from a break-up on these disagreements between its leaders by the Stephens-Cone affair and Stephens' near-martyrdom to a cause that was the embodiment of his political faith and, according to the quixotic standard of the day, the defense of his personal honor as well.

Again as in 1840, however, personal adjustments and understandings merely postponed the inevitable. Before the Whig victory of 1848 had been formally announced after the count of the electoral vote by Congress, the Whigs at Washington found themselves hopelessly at loggerheads on the question of extension of slavery into the territories. National party

lines broke under the strain of the sectional quarrel concerning slavery extension, and in 1850 after Stephens and Toombs had taken over the leadership of the Whig party in Georgia they joined forces with Howell Cobb and the Union Democrats in defense of the Compromise of 1850. Whigs in the legislature of Georgia, meanwhile, were again in the minority position, while their Democratic opponents were making preparation for a state convention to protest against undesirable action by the Federal government. The Whigs opposed the convention, because they recognized in it an effort to strengthen Democratic party lines. When the state convention was assured by the call of the Democratic Governor George W. Towns, Whig leaders threw the strength of their county machines into the canvass for delegates pledged to the Compromise of 1850 as the best basis for preserving the Union. The Convention of 1850 and the Georgia Platform were victories for Whig thought in Georgia, but they brought about the paradoxical result of killing the party in the state. When the Whigs deserted their traditional theory of the protection of the minority by the force of state rights and adopted the political expedient of a sectional compromise, the regular Democrats moved into their former fighting lines. In 1852 the Whigs were handicapped by a strong anti-slavery wing in their national party and a candidate who was not satisfactory to Southern thought. Hence the disorderly scramble of Georgia Whigs for a position of protest against the efforts of the Union Democrats to drag them into the Democratic party, already under the oligarchic leadership that has since characterized that party in the Southern states. The Democrats were not entirely successful in absorbing the Whigs in 1852; neither were the few remaining Whigs successful in reforming their lines of battle in an uncompromising defense of the Union. This was the only fighting line left them after they burned their bridges behind them in forming the Constitutional Union party in 1850. The shibboleth of "measures, not men" in 1852 and the spirited support of Jenkins for governor by former Whig leaders in 1853 were alike futile. There was a brief interval of indecision occasioned by the Know-Nothing movement, but by 1856 the Whigs of Georgia had found a political home in the Democratic party, already set in its uncompromising role of protecting angel for sectional and property interests.

On the basis of historical facts and geographical circumstances set forth in this work, the principles of the Troup-State Rights-Whig party in Georgia may be reduced to a common denominator of three factors. These are the relation of government to economic activity, the relation of government to the individual citizen, and the relation of the Federal government to the states of the Union.

Georgia Whigs in season and out worked on the assumption that government was under obligation to promote general economic prosperity. Many facts in the history of the party might impel one to say that its mem-

bers regarded the promotion of prosperity as the supreme aim of government. As to the method of achieving this ideal, members of the party disagreed among themselves, and some ideals stressed by one generation of the party were disavowed by a succeeding generation. They held, however, to an essential faith in the encouragement of cotton production by the exploitation of fertile land and slave labor as the principal duty of government. When fresh cotton lands in Georgia approached the point of actual scarcity, they sought subsidiary means of profitable utilization of the state's dwindling agricultural resources. They offered river improvement, canal construction, and finally railway building as possible action by the state in the interest of better conditions for marketing raw cotton.

The State Rights party in Georgia became allied with the national Whig party at the most critical period of commercial farming in the nineteenth century. It was no mere coincidence that the end of cotton expansion, the rise of manufactures, and the integration of the State Rights party into the national Whig party occurred in Georgia during a decade of prevailing low prices of cotton. Practical men of affairs and students of agricultural economics alike could see that the average cost of cotton production increased rapidly with the exhaustion of fresh lands, and that the rapid spread of the cotton area westward could bring only depression in the price of cotton on the world market. Encouragement of manufactures and participation in national politics were simply part of the effort of Georgia leaders to maintain their advantages in the highly competitive field of the world cotton trade. They failed to protect themselves by state and national legislation partly because of disagreements in their ranks, but mainly because the whole country became absorbed in the moral issue concerning the proper mode of exploitation of agricultural labor.

The Troup-State Rights-Whig party's emphasis on material prosperity tied up the fortunes of the party with commercial farming. That emphasis also localized the party's voting strength. Every county that consistently gave majorities to the State Rights-Whig party was either a large cotton-producing county or was located along the bank of a river useful for transporting cotton to market. Counties of doubtful politics were, almost without exception, those where cotton farming on a commercial basis was less extensive and was supplemented by general farming of the "hog and hominy" type. Furthermore, doubtful counties tended to disappear from the political map as commercial farming became localized in middle and southwest Georgia.

Members of the Troup party found the best expression of the relation of the government to the individual citizen in Jefferson's ideal of a simple government administered by an intellectual élite, resting rather lightly on the general will through the medium of representation. In the subsequent State Rights-Whig era they held to the same ideal, though it was sharply modified by eagerness to open up Indian lands for cotton production. The

cession of thousands of acres of Indian lands to the state brought the opportunity for a grand experiment in state socialism that would have paid its own way, according to the view of the titular head of the Troup party, the first forerunner of the Whig party. In direct contrast to this view, however, most members of the Troup-State Rights-Whig party conceived the duty of the government to be the giving of citizens an opportunity to become individually rich, not the augmenting of collective wealth. In this spirit they passed acts for liberal distribution of land by lottery. It cannot be emphasized too strongly, in this connection, that the plan of giving lands to Georgia citizens was deliberately chosen by a Troup legislature in preference to Governor Troup's plan of selling the lands and using the money derived therefrom for a grand scheme of permanent internal improvements that would benefit the whole state. But the Troupites used state funds for the improvement of river navigation through cotton counties over the protest of the upland counties that got no benefit from such expenditure.

The Central Bank of Georgia was founded on two cardinal tenets of Whig principles. In the first place, it placed the credit of the state at the disposal of good business men of the state; in the second place, it proved to be a profitable venture for the state, obviating the necessity for a general tax on property for more than a decade. The Whigs refused to allow this augmented revenue to be used for public schools or improvement of the state's penal system. Rather they condemned these social services because they added to the financial burden of the state and contributed nothing to the state revenue. When a Union legislature attempted to transform the Central Bank from a credit distributing agency into a means for direct relief to impecunious citizens, the State Rights party condemned the use of public credit for anything except public purposes. When the State Rights party returned to power, its members killed the Central Bank as a monster that threatened to destroy the state's financial and credit structure. In the meantime, river transportation demonstrated its essential inability to serve the needs of the entire state. State-wide public opinion forced State Rights leaders to pay lip service to railway construction, but they continued to obstruct building operations by their insistence on economy in the expenditure of state funds. Thus the imponderable forces of economic interest and political expediency pulled the Troup-State Rights-Whig party to and fro over the arbitrary line which learned philosophers have drawn between the doctrines of mercantilism and laissez faire.

Continued agitation of these questions and others of national import brought an important modification of the Troup-State Rights-Whig doctrine concerning the relation of the individual to the government. In the days of George M. Troup, leaders of the party demanded a free hand in representing the general will in legislative hall and executive post. The

people were expected simply to choose the wisest and most able men, who would direct public affairs as their superior intelligence and talents pointed the way. Whether for good or evil, the voting population of the state demanded an explanation of public issues and definite promises of action on the part of public servants during the thirties. Later Whig nominees defended their record and that of their party by speeches in every county in the state. Such a concession to direct democracy never entered the most fantastic dreams of George M. Troup, George R. Gilmer, and others of their generation. It was not failure to make adjustments to meet the demands of nineteenth century democracy that brought the end of the Whig party in Georgia. In point of political and social democracy the Whig party of Georgia throughout the forties did not suffer in comparison with the so-called Democratic organization in the state. In fact, it is not an exaggeration to say that Georgia Whigs staked the existence of their party on the intelligence and patriotism of their fellow-citizens and lost to those who appealed to prejudice and took advantage of ignorance of voters in Georgia.

The issue of Federal relations never loomed as large in Southern politics as it has in the writings which have followed Ulrich B. Phillips' work on the subject in 1901. Nevertheless, it was the most nearly ubiquitous of all questions of pre-Civil War politics, and it naturally entered into Troup-State Rights-Whig plans and principles. This party had no constant solution for the problem that, in essence, was the outgrowth of compromise in the Federal Constitution. Its leaders simply judged each recurrence of the question on its merits and used broad or strict construction arguments as they met the needs of the immediate situation. When Federal procrastination threatened to block the march of prosperity into the Indian lands, Troupites denounced hotly every undesirable act of the Federal government as an encroachment upon the rights of the states. Some logical and literal-minded members of the party took these denunciations at face value and announced themselves as nullifiers. These men were never read out of the party, but the whip of party discipline and the march of time removed them from active leadership and prevented Georgia from joining South Carolina in nullifying the tariff of 1832. At the same time the Troup party dropped into the minority position in the state and assumed the name and character of a party whose chief interest was the protection of the rights of the state against an irresponsible majority drunk with power in the state and the Union. Every known means of propaganda was used to describe Democratic acts on the tariff, national finance, and the patronage as unconstitutional, null, and void in their very nature. The master Republicans, Thomas Jefferson and James Madison, had already forged the weapons for the defense of a minority, and their loyal disciples adopted the Virginia and Kentucky Resolutions of 1798 as the official creed of the State Rights party. Constitutional argument was sup-

plemented by political and personal diatribe until the rising tide of resentment against the Democratic party swept the State Rights-Whig party into power in 1840.

During the thirties State Rights leaders re-learned the fundamental lesson in American politics that state rights and strict construction can form no stable base of operations for aggressive political action. The personal dislike of State Rights leaders for Andrew Jackson and Martin Van Buren would have driven them into the national Whig party had their political and economic interests not accomplished the same result. Political alliance proved merely the prelude to party integration, and by 1844 Georgia Whigs were wearing somewhat stiffly the same party collar of national organization for which they had in the preceding decade bitterly criticized their Jacksonian rivals. The low price of raw cotton and the hope of developing a manufacturing industry in Georgia made an about-face on the tariff relatively easy for the leaders, though many members of the party proved not so facile-minded, and Clay was defeated in Georgia in 1844. The collar of party regularity proved no less galling when Georgia Whigs were almost forced to a choice of deserting their party or opposing the Mexican War. It was unbearable when Northern leaders of the Whig party in 1849 refused to meet the demands of their Southern colleagues on the extension of slavery into the territories. Georgia Whigs were in important positions of party leadership in Washington, but they clung to the hope of a national Union party rather than return to the minority position of state rights within the Union, held with honor by their predecessors. They and other Southern Whigs compromised with the Democrats in the sectional truce known as the Compromise of 1850. Georgia Whigs immediately hurried home to place their own interpretation on the compromise. Happy at a task requiring intelligence and patriotism rather than greed and partisan feeling, they worked hard in support of the Georgia Platform and the Constitutional Union party. In the meantime, the Democrats in Georgia were busily appropriating Whig county organizations and adapting Whig arguments for defense of a minority party to the defense of a minority section. When the Kansas-Nebraska fight of 1854 broke on the country, it was not the Whig party or the Constitutional Union party that was ready to defend the interests of the South. In one sense, the Democratic party purloined the leadership of conservative, property interests in Georgia and the South; in yet another sense, it assumed the responsibility for precipitating the "irrepressible conflict" between two sections.

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INDEX

- Abolition, connection with nullification, 71-72; threats, 74-75; charge against Van Buren, 65-66, W. H. Harrison, 91, 94, Clay, 102, and Fillmore, 137; in District of Columbia, 148
- Agricultural Association, 120
- Alford, Julius C., in anti-tariff convention, 48, 65, 79, 92, 94, 101, 179
- "Algerine law," 172, 174
- Allison letter, 132-133
- "American system," 102
- American Temperance Society, 75
- "Athens Junto," 15
- Atlanta, chartered, 131
- "Availability" in presidential candidates, 93
- Bank of Hawkinsville, 76
- Bank of the United States, removal of deposits, 72; attitude of parties, 101; "Fiscal Agent," 103
- Banks, see Bank of Hawkinsville, Bank of the United States, Central Bank of Georgia
- Beall, Elias, in reduction meeting, 44; 92, 145
- Beall, Robert Augustus, in anti-tariff convention, 48; 53, 55, 60
- Berrien, John Macpherson, anti-tariff leader, 10-11; 23-25, 30-32, 42, 44-48, 52-53, 58, 70, 74, 84, 92, 95, 100-101, 103-105, 107, 109, 114, 123-124, 127, 129, 133-134, 136-137, 140-141, 153, 160, 161, 170, 172, 183, 189, 195, 200, 201
- Bishop, William N., in charge of Cherokee guard, 66-67
- Black, Edward J., nominee to Congress, 65; 79-80, 90, 92, 101
- Board of Public Works, 7-8, 34
- Bonds, state, railway, 80; bank, 97-98; burned, 100; redeemed, 116, 119; Western and Atlantic, 122, 125, 131
- Calhoun, John C., close friend of Wilson Lumpkin, 24; 28, 34, 54, 127-128, 133-135, 140, 142, 143, 189
- California, in Clayton Compromise, 134; admission, 144-145, 153, 156
- Camak, James, editor *Georgia Journal*, 14; 24
- Caucus, congressional, Whig, 148, 151-152, 157
- Caucus, legislative, nomination of candidates, 9; discredited, 25-26, 42; organization of State Rights party, 55-57; Union, 68-69, 101; State Rights, 79; Whig, 104, 123-124, 130; Constitutional Union, 161, 163; in party organization, 188-189
- Central Bank of Georgia, established, 13-14; charter amended, 15-16; Tomlinson Fort president, 26; and division in Union party, 67-70; Panic of 1837 and political attacks, 75-77; bills redeemed, 97-100, and burned, 112-113; Whig opposition, 116; closed, 117, 120, 121, 131; party issue, 197-199, 204; see also currency
- Central Committee, State Rights party, 56; aided by executive committee, 63-64; in presidential election, 102-103
- Central Railroad and Banking Company, 77
- Chappell, Absalom Harris, author of anti-Jackson resolutions, 55; 57, 60, 86, 92, 93, 102, 106, 108, 110, 121, 151, 152, 158, 160, 166
- Cherokee area, need for railroad, 73-74; Union-Democratic in politics, 95, 111, 163
- Cherokee guard, 66-67
- Cherokee Indians, see Indians
- Clark, John, candidate for governor, 4-5; 14, 188
- Clay, Henry, opposes removal of Cherokees, 28; 33-34, 89, 93, 102, 105-109, 131-133, 153, 165, 200
- Clay Whigs, 109
- Clayton, Augustin Smith, anti-tariff leader, 10-11; 12, 19-20, 24, 25, 36, 45, 46, 47, 49, 53, 55, 56, 58, 60, 63, 195
- Clayton Compromise, 133-135, 143, 201
- Clinch, Duncan L., on electoral ticket, 92; 107, 115, 119, 120, 128-129
- Cobb, Howell, prominent Unionist, 43; 110, 126, 141-142, 148-151, 158-161, 166, 170, 173, 202
- Colquitt, Walter Terry, in General Assembly, 61; 65, 79-80, 91-92, 95, 101, 106, 129-130, 135
- Compromise of 1850, bases of, 149; accepted as final, 151-156, 158; denounced, 159; in election of 1852, 164, 165
- Cone, Peter, difficulty with A. H. Stephens, 135-136
- Constitutional reform, vote on convention, 9, 10; Constitution of 1798, 38-

- 39; reduction movement, 39-54, 57; Convention of 1839, 81-84; reduction recommended, 96; property requirement for governor removed, 131; party issue, 195-196, 198
- Constitutional Union party, origin, 149, 153, 156-157; gubernatorial election, 158-160; break-up, 161-170; absorbed by Democratic party, 192
- Conventions, state political, beginning of, 11; transition from legislative caucus, 55-57; State Rights, 63-64, 65, 70, 84, 92-93; Whig, 104-105, 107-108, 115-116, 127-128, 133, 136-137, 142; Democratic, 108; to protect slavery, 144; Constitutional Union, 158-159; Southern Rights, 159, 163; Constitutional Union, 164, 165, 166, 171-172; in party organization, 188
- Cooper, Mark Anthony, in reduction convention, 50; 54-55, 79-80, 90-92, 101, 105, 116
- Cotton, area of greatest production, 179-180, 184-186
- Counties, doubtful in politics, 72-73, 180-182, 203; see frontier counties
- Counties, representation of, Constitution of 1798, 38-41; reduction plan, 50-54; district plan, 83-84; revision, 119; party issue, 199-200
- County organizations, built, 46-47, 56-57; restored, 80; used, 202; taken over by Democratic party, 206
- Couper, James Hamilton, on Board of Public Works, 7-8; 24
- Crawford, George Walker, hard money advocate, 86; 105, 106, 116-121, 132, 133, 136, 142, 190, 199, 201
- Crawford, Joel, on Board of Public Works, 7; 15, 45, 49, 53-54, 55, 57, 61, 91, 92, 107, 195, 196
- Crawford, William Harris, anti-tariff leader, 10-11; 25, 41, 42, 44-45, 49, 50, 55, 57; death of, 58
- Crawford, William H., of Sumter, nominee for elector, 107; 126, 127, 131, 133, 154, 155, 166
- Creek Indians, see Indians
- Currency, inflation, 86; contraction, 96, 97; specie payment, 98-100; redemption, 112-113, 116; return to par, 117, 119; see also Central Bank of Georgia
- Cuthbert, John A., editor *Federal Union*, 22; 48, 49, 62, 67-69, 72
- Daniel, William C., author of anti-tariff resolution, 23; 50, 55, 57, 60
- Dawson, William Crosby, in reduction meeting, 44; 45, 50, 61, 62, 65, 79, 84, 91, 92, 98-99, 101, 105, 107, 109, 115, 128, 129-130, 136, 154, 157, 163, 165, 172, 200
- Democrat, The*, 21, 22, 45
- Democratic party, in election of 1840, 89, and 1844, 102, 104, 106, 111; different from South Carolina, 128; attitude to Federal Union, 143-144; defender of slavery, 191, 202, 206
- Districts, congressional, general ticket system, 9, 26; bill vetoed, 114; passed, 118-119; gerrymander, 126; revised, 146-148
- Districts, state senatorial, Constitution of 1798, 38; reduction plan, 50-54; revision, 119; deadlock in General Assembly, 145-147
- Dougherty, Charles, Superior Court Judge, 25; 44, 45, 61, 63, 70, 84-85, 92, 107, 116, 153, 154, 160
- Education, public, state system, 35-36; school law, 79; failure of appropriation, 85-86; repeal of law, 98; ignored by General Assembly, 122; party issue, 198-199; see also Franklin College
- Elections, congressional, party division in, 61, 79-80; connection with national parties, 101-102; issues, 105
- Elections, gubernatorial, 1824 and 1825, 4-5; 1827, 9-10; 1829, 14-15; 1831, 20-25; 1833, 53-54; 1835, 63-65; 1837, 70-72; 1839, 84-85, 88; 1841, 98-99; 1843, 115-116; 1845, 120-121; 1847, 128-129; 1849, 142-143; 1851, 158-160; 1853, 170-175
- Elections, presidential, 1828, 11; 1836, 65-66; 1840, 89-95; 1844, 102-111; 1848, 133-138; 1852, 161-170
- Examiner and Journal of Political Economy*, State Rights organ, 56, 61
- Federal officeholders, 60
- Federal Ratio, basis for loans by Central Bank, 15; in Constitution of 1798, 38, 39, 40; in reduction plan, 50-54; in Convention of 1839, 82-84; party issue, 196
- Federal relations, see abolition, Bank of the United States, Clayton Compromise, Indians, instruction of Senators, Missouri Compromise, nullification, state rights, Wilmot Proviso
- Federal Union*, established, 21-22; carries Union party candidates, 44; opposes nullification, 45, and indivisibility of sovereignty, 59; attacks Governor Schley, 67-70
- Fillmore, nominee for Vice-President, 137-139; 162, 164-165, 168
- Fire-eaters, 160-161, 173

- Floyd, John J., nominee to Congress, 108; 158, 161
- Force Bill, 34, 53, 55, 56, 196
- Forsyth, John, elected governor, 9-10; 14, 15, 34, 47-48, 49, 81, 190
- Fort, Tomlinson, owner *Federal Union*, 21-22; 26, 68, 75-77, 100, 113, 128, 197
- Foster, Nathan G., in state senate, 100; 133
- Foster, Thomas Flournoy, nominee to Congress, 11, 25; 46, 57, 60, 92
- Franklin College, in anti-tariff movement, 12, 24; connection with Troup party, 35-37; scene of party meetings, 44-45, 53; military training in, 71; failure of appropriation, 86, 99
- Free-white representation, in Convention of 1839, 82-84; party issue, 196
- Frontier counties in politics, 51, 66, 67
- Fugitive slave law, 154, 156, 157
- Fulton, Hamilton, state engineer, 7-8, 12
- Gamble, Roger L., nominee to Congress, 25; 46, 47-48, 57, 60, 63, 92, 95, 102, 115
- Garrison, William Lloyd, 74
- General will, representation of, 204-205
- Georgia Convention of 1850, 153-157, 202
- Georgia Journal*, Troup-State Rights organ, 14, 78
- Georgia Platform, 156-157, 162, 172, 206
- Georgia Railroad Company, 77, 112
- Gerrymander, 119, 126, 138
- Gilmer, George Rockingham, typical Whig leader, 2; 10-11, 14-23, 25, 27-28, 35, 36, 41, 46, 47, 50, 55, 60, 61, 63, 70-81, 85, 92, 154, 189, 190, 195, 197, 198, 205
- Grantland, Seaton, resigns from State Rights party, 61; 92, 133
- Habersham, Richard W., in State Rights caucus, 55; 65, 79, 92, 102, 105
- Hard money issue, 86
- Harrison, William Henry, presidential candidate, 90-95, 190
- Haynes, Charles E., nominee to Congress, 11; 25, 26, 46
- Hiawasse Railroad, 85
- Hill, Edward Y., electoral nominee, 133; 142-143, 150, 154, 155, 157, 166
- Holsey, Hopkins, in Convention of 1850, 157; 165, 169-170
- Hooper, John W., judge in Indian cases, 62-63
- Hull, Asbury, candidate for governor, 115; 133, 154, 172
- Independence Day, celebrations, 53; political speech, 89; and death of President Taylor, 152
- Indians, Creek and Treaty of Indian Springs, 4-6; Cherokee and gold lands, 16-20; removal of Cherokee, 27-29; Graves case, 62-63; State Rights policy, 65, 71; party issue, 193, 194-195
- Instruction of Senators, John P. King, 74; John M. Berrien, 100-101, 114; party issue, 200
- Internal improvements, suggested by Governor Troup, 6-8; river improvement, 12-13, 34-35, 57; railways, 57; bill passed by lower house, 78-79; opposed by State Rights party, 80, on plea of economy, 85; party issue, 193-194, 198, 204
- Jackson, Andrew, receives electoral vote, 11; 17, 33-34, 42, 45, 55, 60, 189
- Jenkins, Charles Jones, party leader, 1; 86, 95, 107, 116, 121, 123, 128, 129, 135, 143-144, 146-147, 153, 154, 155, 164, 165, 166, 170, 172-175, 191
- Johnson, Herschel V., supports Clayton Compromise, 135; 141, 163, 171, 173, 175
- Jones, Seaborn, nominee to Congress, 25-26; 46, 57, 60, 83, 91
- Kenan, Augustus H., nominee to Congress, 102; 154, 155, 164
- King, John Pendleton, elected to United States Senate, 54; retirement, 74
- King, Thomas Butler, in reduction convention, 50; 61, 65, 79, 92, 102, 105, 106, 107, 109, 126, 133, 137, 141, 182
- Lamar, Henry Graybill, candidate for governor, 70; 80, 84
- Lamar, Mirabeau Bournaparte, candidate for Congress, 25-26; 46, 57, 60
- "Letter to Some State Rights Gentlemen in Talbot County," 59
- Lumpkin, John Henry, nominee to Congress, 110; 160
- Lumpkin, Joseph Henry, in Whig convention, 107; 124, 142
- Lumpkin, Wilson, on Board of Public Works, 7-8; 20-21, 24, 27-29, 31, 37-38, 42, 43, 49, 54, 55, 62, 74, 95, 142, 160, 189, 190
- McDonald, Charles James, Superior Court judge, 11, 84-85, 99-100, 113-115, 129, 150, 159
- Macon Telegraph*, established, 21; Democratic organ, 108
- Manufacturing industry, 12, 104, 183
- Meriwether, James A., nominee to Congress, 11; 72, 92, 108, 121, 133, 149-150, 153, 161, 163
- Mexican War, an "unholy cause," 125-126; Stephens resolutions, 127-128; in

- General Assembly, 130-131; party issue, 201
- Miller, Andrew J., hard money advocate, 86; 92, 113, 129, 143-145, 150, 153, 155, 161, 166, 172
- Missouri Compromise, 89, 95, 144, 148, 150, 151, 152
- Mitchell, David Byrdie, in reduction meeting, 43; 55
- Mudslinging, by State Rights and Union parties, 65-68, 87, 197
- Nashville Convention, 145, 149-150, 152
- Newnan, Daniel, nominee to Congress, 57; 60, 61
- Newspapers, in state politics, 3, 21-22, 126, 127, 167, 169-170, 172, 181; see also *Democrat*, *Federal Union*, *Georgia Journal*, *Macon Telegraph*, *Southern Recorder*
- Nisbet, Eugenius Aristides, in reduction meeting, 44; 61, 65, 79-80, 92, 101, 108, 121, 124
- Nominations, summary, 181n., 182
- North Carolina*, first steamboat to Macon, 34-35
- Nullification, attitude of Troup party, 23-24, 28-34, 58, 59-60; repudiation by State Rights party, 63-64; charge revived, 71-72; resolutions, 100; party issue, 189, 195, 196-197, 201
- Panic of 1837, 69-70
- Party appointments, summary, 181-182
- Penitentiary, attitude of Troup party, 37-38; granted loan, 98; denied support, 113; financial difficulties, 115; reform and appropriation, 118, 122, 131; party issue, 198-199
- Pierce, Franklin, presidential nominee, 165-168
- Platform, first party, 56-58
- Poe, Washington, in ratifying convention, 92; 108, 110, 154, 157, 166
- Political party, defined, 1, 177, 192
- Polk, James K., on Oregon question, 125; 126-127
- Race amalgamation, charged against R. M. Johnson, 66
- Railroads, chartered companies, 35, 77, 80; state-owned, 57; see also Georgia Railroad and Banking Company, Hiawasse Railroad, Western and Atlantic Railway
- Raleigh Letter, by Henry Clay, 107, 109
- Reduction of representation, 39-44, 49-54, 57, 81-84; see also constitutional reform
- Reid, Irving Company, 116-117, 121
- Relief legislation, passed, 86; modified, 96-97; party issue, 199
- Rockwell, Samuel, in reduction movement, 42-43; 45, 55
- Sanford, John W. A., in Convention of 1850, 154; 156, 158, 171
- Schley, William, Unionist congressman, 26, 60; 63-72, 77-78, 197, 198
- Scott, Winfield, presidential candidate, 163, 165-169, 191
- Secession, 159-160, 171, 174-175
- Sectionalism in state politics, 5, 25, 52, 54, 110-111, 160, 169, 174-176, 178-188
- Slave insurrections, 74-75
- Southern Address, 140-142, 144, 152
- Southern convention, proposed to combat tariff, 30-32; to protect slavery, 144-145
- Southern Recorder*, ignores reduction movement, 44; defends state sovereignty, 59; demands reduction of representation, 81; active in presidential elections, 89, 91, 127; works for party harmony, 134-135; on Nashville Convention, 149-150; and election of 1852, 168-169
- Southern rights, revolt in Washington, 140-142; movement, 145, 151-155, 157-158; party, 159-160, 162-163, 171
- Southern sectionalism, 138, 139, 191
- Spalding, Thomas, in anti-tariff convention, 47-48; 155
- Starke, James H., in Convention of 1839, 82-84; 106
- State rights, in Troup party, 24; and Clayton Compromise, 133-134; assumed by Democratic party, 175, 202; Whig attitude, 205-206; see also State Rights party
- "State Rights Man of 1825, A," 94
- State Rights party, organization, 55-58; place in politics, 59-86; contributions, 87-88; absorbed into Whig party, 89-102; principles assumed by Union party, 90, and by Democratic party, 175; property-minded, 179-181; machinery, 189-190; issues, 196-200
- State Rights Whigs, 160
- State v. Securities of Thomas Haynes, 120
- Stephens, Alexander Hamilton, student at Franklin College, 36-37; 86, 89, 93, 105-109, 121, 122-123, 125, 126, 127, 131-132, 134-137, 140-141, 148-166, 170, 172-175, 191, 193, 200-202
- Stephens, Linton, disagrees with Clay, 109; 122, 148, 163, 170, 171
- Strong, Christopher B., in State Rights caucus, 55; 79, 92, 93, 107, 153, 160
- Sub-treasury bill, 81, 100, 103, 200

- Supreme Court of Georgia, recommended, 96; established, 124
- Supreme Court of United States, injunction in Indian case, 20; Worcester decision, 28-29; authority over slavery, 133-134
- Surplus revenue fund, in General Assembly, 68; end of distribution, 69-70, 76; party issue, 199, 200
- Tariff, protests, 10-11, 12, 23, 29; meetings, 24, 44-45; conventions, 31-32, 46-47; Compromise of 1833, 87; Whig proposals, 101-106; incidental protection, 109, 139; attitudes in the state, 110-111; reduction, 122-123; party issue, 194-195, 200
- Tax act, 114-116, 122
- Taylor, Zachary, presidential candidate, 125-128, 130-133, 137-139; death, 152
- Texas, annexation of, in presidential election, 107-109; supported by young Whigs, 123; party issue, 200-201
- Thomas, James, in reduction meeting, 44; 154, 155, 164, 166, 170
- Tippecanoe clubs, 92
- Toombs, Robert, student at Franklin College, 37; 92, 93, 105, 108, 109, 112, 116, 123, 125, 126, 127-128, 132, 134-137, 140-141, 148-166, 170, 172, 173, 175, 191, 193, 200-202
- Torrance, William H., in anti-tariff meeting, 24; 45, 48, 55
- Towns, George Washington Bonaparte, elected governor, 128-129; 143, 147, 153-154, 202
- Troup, George Michael, party leader, 1; 4-8, 13, 32, 35, 41, 49, 53, 54, 59, 60, 61, 89, 91, 179, 188, 193-194, 205
- Troup party, dominant, 4-26; issues, 34-41; reorganization as State Rights party, 41-58; machinery, 188-189; issues, 193-196
- Troup Union Men, 64-65, 189
- Tyler, John, vice-presidential candidate, 91-95; 103
- Tyler Whigs, 109
- "Uncle Ben," 98
- Union Democrats, 151, 153, 163, 164, 166, 167, 173, 174, 202
- Union party, origin, 12, 20-24; blocks nullification, 58, 59; in charge of state government, 54, 61-63; decline of, 66-72; democratic nature, 73; takes lead in public education, 79; divided on internal improvements and banking, 80-81; in reduction convention, 81-84; relief program, 86, 88; in presidential election, 89, 91, 94; in gubernatorial election, 99; absorbed by Democratic party, 102-104
- Van Buren, Martin, "collar man," 34; 64-66, 81, 89, 90, 93, 107, 190, 197
- Virginia and Kentucky Resolutions, in anti-tariff movement, 31; basis for State Rights party, 56, 58, 59, 62, abandoned, 70; in Southern Rights party, 159; party issue, 190, 195, 196, 205-206
- Warren, Lott, nominee to Congress, 79; 92, 182
- Wayne, James M., nominee to Congress, 11, 25; 46, 49-50, 60, 61, 63, 82, 90
- Webster, Daniel, opposes removal of Cherokees, 28; 56, 153, 157, 165, 166, 167, 191
- Western and Atlantic Railway, survey and charter, 71, 77-78; sale of bonds, 80, 85; building, 96-98; suspended, 99, resumed, 117-118; in operation, 125; completed, 131; party issue, 198-199
- "Whig Exposition," 148
- Whig party, general characteristics, 1-3; in presidential elections, 89-95, 102-111; high point, 119; decline, 131, 139; attitude to Federal Union, 143-144, 154-155; division of, 162-170; temporary restoration, 170-175; historical interpretations of, 177; geographic summary, 178-188; organization, 188-192; issues, 138-139, 192-202; principles, 202-206
- Whiskey license law, 85
- White, Hugh Lawson, presidential candidate, 63-66, 190
- White Union men, 70
- Wilde, Richard Henry, nominee to Congress, 11, 25; 46, 57, 60, 101-102
- Wilmot Proviso, attitude of Whigs, 128-130, 133, and Democrats, 137; sectional cleavage, 139; party division, 142, 143; and state convention, 144; in congressional caucus, 148; and Compromise of 1850, 151
- Wofford, William B., in Convention of 1839, 83-84; 112, 124n., 143, 155, 158
- Worcester case, 19, 28-29

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